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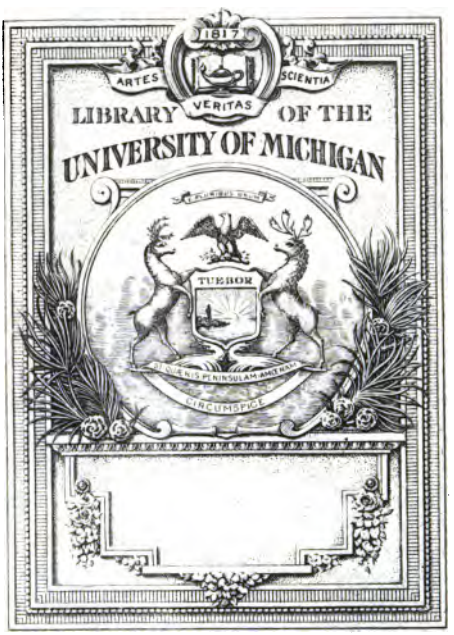
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THE CITY CHARTER,

ACT CREATING BOARD OF PARK COMMISSIONERS,
MUNICIPAL COURT ACT,

SCHOOL LAW

AND

ORDINANCES, etc.

OF THE

CITY OF MINNEAPOLIS.

Compiled and Published by Authority of the City Council.

GROVE B. COOLEY, COMPILER.

MINNEAPOLIS:
JOHNSON, SMITH & HARRISON.
1883.

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CHARTER

OF THE

CITY OF MINNEAPOLIS.

AN ACT

TO AMEND AND CONSOLIDATE THE CHARTER OF THE CITY OF MINNEAPOLIS.

Be it Enacted by the Legislature of the State of Minnesota:

SECTION 1. The act entitled "An act consolidating the cities of St. Anthony and Minneapolis, and incorporating the same into one city by the name of Minneapolis," approved February 28, A. D., 1872, and the subsequent acts of the legislature amending the same, are hereby consolidated and amended so that the same shall constitute the charter of said City of Minneapolis, which shall read as follows:

243916

CHAPTER I.

CITY AND WARD BOUNDARIES.

SECTION 1. **Creation of Corporation.** All that district of country in the County of Hennepin contained within the limits and boundaries hereinafter described, shall be a city by the name of "Minneapolis," and all the people now inhabiting and those who shall hereafter inhabit the same district shall be a municipal corporation by the name of "The City of Minneapolis," and by that name may sue and be sued, plead and be impleaded, in any court; make and use a common seal, and alter it at pleasure; take and hold, lease and convey all such real, personal and mixed property as the purposes of the corporation may require, or the transaction or exigencies of the business may render convenient, within or without the limits of such district; shall be capable of contracting and being contracted with, and shall have all the general powers possessed by municipal corporations at common law, and in addition thereto shall possess all powers hereinafter specifically granted; and all the authorities thereof shall have perpetual succession.

SEC. 2. **City Limits.** (As amended February 27th, 1883.) The district of country constituting the City of Minneapolis shall include the east half (½) of Section eight (8), Sections nine (9), ten (10) and eleven (11), the west half (½) of Section twelve (12), Sections thirteen (13), fourteen (14), fifteen (15) and sixteen (16), the east half (½) of Sections seventeen (17) and twenty (20), Sections twenty-one (21), twenty-two (22), twenty-three (23), twenty-four (24), twenty-five (25), twenty-six (26), twenty-seven (27), twenty-eight (28), twenty-nine (29), thirty-two (32), thirty-three 33), thirty-four (34), thirty-five (35) and thirty-six (36), all in Township twenty-nine (29), Range twenty-four (24); Sections one (1), two (2), three (3), four (4) and five (5), the east half (½) of Section eight (8), Section nine (9), the northeast quarter (¼) of Section seventeen (17), the northwest quarter (¼) and the west half (½) of the northeast quarter (¼) of Section sixteen (16), all in Township (28), Range twenty-four (24); lots seven (7), eight (8), nine (9) and ten (10) of Section five (5), and all of Section six (6), in Township twenty-eight (28), Range twenty-three (23); the south half (½) of Section thirty (30) and the northwest quarter (¼) and the southwest quarter (¼) of the northeast quarter (¼) of Section thirty (30), all of Section thirty-one (31), and lot three of Section thirty-two (32); all in Township twenty-nine (29), Range twenty-three (23); all of said district of country being in the County of Hennepin, and State of Minnesota. Provided, however, that for school purposes school districts numbered one hundred and thirteen (113) and one hundred and seventeen (117) shall neither of them

be affected by this act; and provided, further, that all taxes for the current year, levied or assessed upon property within the territory which is hereby added to the City of Minneapolis, shall belong to the City of Minneapolis, and be paid into its treasury to be applied to the various purposes for which they were levied or assessed, and that all taxes for the current year, levied or assessed for school purposes in school districts numbered one hundred and twenty-one (121), one hundred and nineteen (119), ninety-three (93), nine (9), and one hundred and eight (108), and that part of school districts numbered one hundred and six (106), one (1), two (2), three (3), six (6) and five (5), which is by this act included within the territorial limits of said city, shall belong to the City of Minneapolis for school purposes; provided, further, that all debts owing by the school districts, the school houses of which are included within the new city limits as above established, except such of those districts as are not affected by this act, as above provided, shall be assumed and paid by the City of Minneapolis, and all moneys and property belonging to such school district shall belong to the said city, and this act shall not be construed as impairing the obligations or any contract, if any such there be, heretofore made or entered into by any school district or by the Town of Minneapolis, neither shall it be construed as either recognizing or confirming any such contract. The town house heretofore used by the said Town of Minneapolis shall be and become the property of the City of Minneapolis upon repayment to the Town of Minneapolis, as it shall suit after the passage of this act, the sum of one hundred and fifty dollars.

SEC. 3. **Ward Boundaries.** (As amended February 27, 1883.) The said city is hereby divided into eight (8) wards bounded and described as follows:

First Ward. All that part of said city which is east of the middle line of the main channel of the Mississippi river, and north of a line commencing at a point where the middle line of the main channel of said river is intersected by the middle line of the suspension bridge, and running thence easterly along the middle line of said bridge, along the middle line of the street crossing the island therefrom, of the stone arch bridge and of Central avenue to its junction with Second avenue northeast; thence along the middle line of Second avenue northeast to Ninth street; thence along the middle line of Ninth street to Division street; thence along the middle line of Division street, and along a direct continuation thereof due east to the eastern boundary of said city, shall constitute the First Ward of said city.

Second Ward. All that part of said city which is east of the middle line of the main channel of the Mississippi river, and which is not included in the First Ward, as above described, shall constitute the Second Ward of said city.

Third Ward. All that part of said city lying west of the middle of the main channel of the Mississippi river and north of a line commencing at

a point where the middle of said main channel would be intersected by the middle line of Third avenue north if directly extended thereto, and running thence southwesterly along said extended line and along the middle line of Third avenue north to Sixth street north; thence northwesterly along the middle line of Sixth street north to its intersection with the north line of the southwest quarter of section twenty-two (22) of township twenty-nine (29), range twenty-four (24); thence west on the line of half sections to the west line of said city, shall constitute the Third Ward of said city.

Fourth Ward. All that part of said city bounded as follows, to wit: On the northerly side by the Third ward, being the whole of the boundary line last above described; on the west by the west boundary line of said city; on the south by the south boundary line of sections twenty-seven (27), twenty-eight (28) and twenty-nine (29), township twenty-nine (29), range twenty-four (24), and on the easterly side by the following described line: Commencing at the point above described, where the extended middle line of Third avenue north would intersect the middle line of the main channel of the Mississippi river, and running thence down said river on the middle line of its main channel to the point where the middle line of First avenue south, if directly extended thereto, would intersect the same, thence southwesterly along said extended line and along the middle line of First avenue south to Grant street, thence along the middle line of Grant street to Nicollet avenue, and thence south on the middle line of Nicollet avenue to the south boundary line of the ward as above described, shall constitute the Fourth Ward of said city.

Fifth Ward. All that part of said city bounded on the northerly side by the middle line of the main channel of the Mississippi river, on the south by the middle line of Twenty-fourth (24) street south, on the westerly side by the last above described line bounding the Fourth Ward, the same being extended on the middle line of Nicollet avenue to Twenty-fourth (24) street south, and on the easterly side by the following described line, to wit: Commencing at the point where the middle line of the main channel of said river is intersected by the middle line of the iron bridge which spans the river, from Tenth avenue south, and running southerly along the middle line of said bridge and of Tenth avenue south to the middle line of Twenty-fourth street south, shall constitute the Fifth Ward of said city.

Sixth Ward. All that part of said city which lies south and west of the middle line of the main channel of the Mississippi river, and north of the middle line of Twenty-fourth street south, and of the line which would be the middle line of said street if the same was extended due east to the said river, and which lies east of the Fifth Ward, shall constitute the Sixth Ward of said city.

Seventh Ward. All that part of said city which lies south of the middle line of Twenty-fourth street south, and of the line which would be the middle line of said street if the same was extended due east to the

said river, and which lies east of the middle line of Chicago avenue, and of the line which would be the middle line of said street if the same was extended due south to the city limits, shall constitute the Seventh Ward of said city.

Eighth Ward. All that part of said city which is not included within the other seven wards, as above established, shall constitute the Eighth Ward of said city.

This and the preceding section shall be construed as continuing and extending the present city and wards, and shall not disturb or interfere with any city or ward officer, each of whom shall serve the enlarged city or ward, as the case may be, during the remainder of the term for which he was elected or appointed, subject only to removal in the cases and manner provided by law.

At the general election for city officers to be held on the first Tuesday of April, One thousand Eight hundred and Eighty-three (1883), there shall be elected in and for each new ward above constituted, being the Seventh and Eighth wards, two Aldermen, one for two years, and one for three years, the same to be designated on the ballots voted.

CHAPTER II.

OFFICERS AND ELECTIONS.

SECTION 1. **Officers of the City and Term of Office.** (As amended February 27, 1883). The elective officers of said city shall be a Mayor, a Treasurer, and a Comptroller, all of whom shall be residents and qualified voters of said city, and shall hold office for the term of two years. Each ward shall elect one Alderman each year, except that the Seventh and Eighth Wards shall only elect in those years in which a vacancy occurs. Each Alderman shall be a resident aud a qualified voter of the ward for which he shall be elected, and hold office for the term of three years.

The term of office of every officer elected under this act shall commence on the second Tuesday of April of the year for which he shall be elected, and shall continue until a successor is elected and qualified.

All other officers necessary for the proper management of the affairs of the city shall be appointed by the City Council, unless otherwise provided. The appointment of such officers shall be determined by ballot, and it shall require the concurrence of a majority of all the members of the City Council present to appoint such officer. The City Clerk and the Superin-

tendent of the Poor shall each hold his office for the term of two years from and after the second Tuesday of April of the year of his appointment, and all other appointed officers, except when otherwise provided in this charter, for the term of one year from said second Tuesday of April. All appointed officers shall continue in office until their successors are appointed and qualified.

All persons now holding office in said city shall continue in office to the expiration of the term for which they shall have been elected or appointed, and until their successors shall have been designated and qualified.

SEC. 2. **Time of Election and Notice.** The election for city officers and the aldermen of said city shall be held on the first Tuesday of April of every year.

Whenever a vacancy shall occur in the office of Mayor or Alderman, such vacancy shall be filled by a special election, which shall be ordered and held within twenty days after such vacancy shall occur. The City Clerk shall give fifteen days' notice of the time and places of holding all general elections, and special elections, and such notices shall also designate the officers to be elected at such general or special elections, but no defect in such notices, or failure to give them, shall invalidate any election.

All elections by the people shall be by ballot, and each ballot shall contain the names of the persons voted for, with a proper designation of the office written or printed thereon. The person receiving the highest number of votes for any office shall be declared elected to such office. When two or more candidates for any elective city office shall receive an equal number of votes, the election shall be determined by the casting of lots, in the presence of the City Council, at such time and in such manner as said Council shall direct.

SEC. 3. **Mode of Conducting Elections.** The mode of conducting city elections shall be the same as is provided by law for the conduct of elections in cities of over 12,000 inhabitants, except so far as such law is modified by express provisions of this charter, and all special provisions herein contained shall apply as well to all state and county elections within said city, except that the returns of all elections for Aldermen or city officers shall be made to the City Clerk, as hereinafter provided, and the returns of state or county elections shall be made to the Auditor of the county of Hennepin as provided by law.

SEC. 4. **Qualification of Voters.** All persons entitled to vote for state and county officers, and who shall have resided for twenty days next preceding the election in the precinct where they offer their vote, shall be entitled to vote for any officer, or to be elected to any office hereby created.

SEC. 5. **Election Precincts and Places of Election.** The city Council shall, at least twenty days previous to the general election for city officers, to be held on the first Tuesday of April annually, and the

general election for State and County officers, to be held on the first Tuesday after the first Monday of November of each year, designate the boundaries of the several election precincts of said city, and for that purpose may divide the several wards into such number of precincts as may be deemed necessary, but no election precinct shall extend over any territory of more than one ward. The City Council shall also at the same time designate the place of holding elections in each precinct, and such place so designated shall not be subject to change by the voters present at the commencement of such election.

In case such City Council shall neglect or refuse to provide for such precincts and places of election previous to general elections as herein provided, and in all cases of special election, the election precincts and places of holding elections shall continue to be the same as at the general election next preceding such election.

SEC. 6. **Judges of Election.** The aldermen of said city shall be *ex officio* judges of election of the precincts wherein they respectively reside, unless candidates at such election or otherwise disqualified or declining to serve. The City Council shall at least twenty days before any general election, appoint such number of judges of election as may be necessary to constitute a full board for each election precinct as provided by general law.

SEC. 7. **Special Elections, how Conducted.** It shall not be necessary to appoint judges or to make new registers of voters for special elections, but the judges of election at the last general election in any precinct shall continue to be judges of election for such special election, and vacancies of judges may be filled the same as in case of general elections, and such judges shall have the right to take from the City Clerk and use at such special election the register used at the general election next preceding such special election.

SEC. 8. **Election Returns.** When an election for Aldermen or city officers shall be closed, the judges of election shall make return thereof to the City Clerk within three days of such election, in like manner as provided by law for the return of State and county elections to the County Auditor.

Within one week after any city election the City Council shall meet and canvass the returns thereof and declare the result as it appears from such returns, and the City Clerk shall forthwith give notice to the officers elected of their respective elections.

SEC. 9. **Vacancies in Office; How Created and Filled.** Any officer removing from the city or the ward for which he was elected or appointed; or any officer who shall refuse or neglect for ten days after notice of his election or appointment, to enter upon the discharge of the duties of his office, shall be deemed to have vacated his office, and any officer having entered upon the duties of his office may resign the same by the consent of the City Council.

All vacancies, except as hereinbefore provided shall be filled by the City Council.

SEC. 10. **Oaths and Bonds of Office.** Every person elected or appointed to any office under this act, shall, before he enters upon the duties of his office, take and subscribe an oath of office and file the same with the clerk of the city. The Treasurer, Clerk, Comptroller, Street Commissioners, and such other officers as the City Council shall require, shall, severally, before they enter upon the duties of their respective offices, execute to the City of Minneapolis, bonds in such amounts and upon such conditions as the City Council may prescribe; and in the absence of special provisions, such officers shall give bonds in the amounts and upon the conditions of the bonds of their predecessors in office.

The bond of the Treasurer shall be executed by at least four sureties, who shall justify to an aggregate amount of at least double the penal sum of such bond, and shall be approved by the City Council, by resolution approved and published. The bonds of the other city officers shall be such as shall be approved by the City Council or any proper committee thereof.

SEC. 11 **Persons interested in contracts not eligible to office.** (Amendment of Feb. 27, 1883.) No person shall be eligible to or shall be elected or appointed to any city office whatever, who is at the time, either directly or indirectly interested in any contract with the city, whether said contract was made by the City Council, or by any board or officer of said city, and every such contract in which any city officer shall be directly or indirectly interested, shall be void.

CHAPTER III.

POWERS AND DUTIES OF OFFICERS.

SECTION 1. **Powers and Duties of Mayor.** The Mayor shall take care that the laws of the State and the ordinances of the city are duly observed and enforced within the city. He shall take care that all other officers of the city discharge their respective duties, and to that end may maintain an action of mandamus or other appropriate action against any delinquent city officer.

He shall from time to time give the City Council such information and recommend such measures as he may deem advantageous to the city.

All ordinances and resolutions shall, before they take effect, be presented to the Mayor, and if he approve thereof he shall sign the same, and

such as he shall not sign he shall return to the City Council, with his objections thereto, by depositing the same with the City Clerk, to be presented to the City Council at their next meeting thereafter. Upon the return of any ordinance or resolution by the Mayor, the vote by which the same was passed shall be deemed to have been reconsidered, and the question shall be again put upon the passage of the same, notwithstanding the objections of the Mayor, and if upon such vote the City Council shall pass the same by a vote of two-thirds of the members of the council, it shall have the same effect as if approved by the Mayor. If any ordinance or resolution shall not be returned by the Mayor within five days, Sundays excepted, after it shall be presented to him, the same shall have the same force and effect as if approved by the Mayor.

SEC. 2. **President and Vice-President of City Council.** At the first meeting of the City Council in each year they shall proceed to elect by ballot from their number a President and Vice-President. The President shall preside over the meetings of the City Council, and during the absence of the Mayor from the city, or his inability from any reason to discharge the duties of his office, the said President shall exercise all the powers and discharge all the duties of the Mayor. In case the President shall be absent at any regular meeting of the City Council, the Vice-President shall discharge the duties of such President and act in his place. The President or temporary presiding officer, while performing the duties of Mayor, shall be styled Acting Mayor, and acts performed by him, when acting as Mayor aforesaid, shall have the same force and validity as if performed by the Mayor.

SEC. 3. **City Clerk.** There shall be a clerk of said city, styled the City Clerk, who shall be elected by the City Council. He shall keep the corporate seal and all the papers and records of the city, and keep a record of the proceedings of the City Council, at whose meetings it shall be his duty to attend. Copies of all papers filed in his office and transcripts from the records of the City Council certified by him under the corporate seal, shall be evidence in all courts the same as if the originals were produced. He shall draw and sign all orders on the Treasurer in pursuance of any order or resolution of the City Council, and keep a full and accurate account thereof in books provided for that purpose. The Clerk shall have power to administer oaths and affirmations. He shall perform all other services by law required of clerks of cities or townships, within said city, but when services are required of him by public law, for which compensation is made from state or county treasury, such service shall not be regarded as services for said city, and he may retain such compensation in addition to the salary paid by said city.

SEC. 4. **Assistant Clerk.** The City Council shall, whenever it is deemed necessary, have the power to appoint, upon the nomination of the Clerk, an Assistant Clerk, at such time and for such period as may be deemed necessary. It shall be the duty of such Assistant Clerk to assist the Clerk

in the care of the papers and files, and in making the records of said city, and also to write out such records as the Comptroller is required to keep and under his direction. Such Assistant Clerk shall also attend such meetings of any of the committees of the City Council as such committee may designate, and act as clerk of such committees. He shall have authority, in the disability or absence of the City Clerk, to certify and affix the corporate seal to copies of files and transcript of records, and all certificates so made by him shall have the same validity as if made by said City Clerk.

SEC. 5. **City Attorney.** The City Council shall have power to elect an attorney for the city who shall perform all professional services incident to the office, and when required shall furnish opinions upon any subject submitted to him by the City Council or its committees. He shall also advise with and counsel all city officers in respect to their official duties, and attend the regular meetings of the City Council and of such committees as shall request his assistance.

SEC. 6. **Health Inspectors.** Said City Council may also appoint one or more Health Inspectors for said city, who shall have the same authority as police officers in enforcing the ordinances of said city for the security of public health, and shall act under the direction of the Health Officer and Board of Health of said city.

SEC. 7. **Superintendent of the Poor.** Said City Council shall, at the time of electing other city officers, elect a Superintendent of the Poor of said city, who shall perform such duties concerning the relief and assistance of the poor of said city requiring temporary and limited support as are or may be prescribed by ordinance of said city or the laws of the state. The City Council shall also have authority to designate such Aldermen or other officers of the city to act as a Board of Supervisors of the Poor, whose duty shall be to advise such Superintendent in respect to his duties, in such manner as may be provided in the ordinance designating such board.

SEC. 8. **City Physician.** (As amended February 27, 1883). The City Council may also appoint a City Physician who shall be a physician of regular practice and of good standing in his profession and a graduate of some college of medicine. He shall attend and furnish medicine to all such poor of the city as he may be required to attend by said Superintendent or Board of Supervisors of the Poor.

SEC. 9. **City Engineer.** There shall be appointed by the City Council a City Engineer who shall be a practical surveyor and engineer. He may by and with the consent of the City Council employ such assistants as may be necessary. He shall keep his office at some convenient place in said city, and the City Council shall prescribe his duties and fix his compensation and the compensation of all assistants employed by him.

SEC. 10. **To have Charge of all City Work.** He shall have supervision and general charge of all work done for the city and of all work

done on any street, highway or alley in the city, may direct the manner of performing such work, and the constructions of all sidewalks, street crossings, bridges or other structures in or upon such streets, may suspend any such work or construction as shall not conform to his requirements or those of the City Council, and shall take care that the terms of all contracts for any work or construction in behalf of the city are fully complied with.

SEC. 11. **Surveys and Plats to be City Property.** All surveys, profiles, plans and estimates made by him or any of his assistants for the city shall be the property of said city, and shall be carefully preserved in the office of the engineer, open to the inspection of parties interested, and the same together with all the books and papers appertaining to said office, shall be delivered over by the Surveyor at the expiration of his term of office, to his successor or to the City Council.

SEC. 12. **Duties of Comptroller.** It shall be the duty of the City Comptroller to keep regular books of account, both of the City of Minneapolis and the Board of Education of said city, in which he shall enter all indebtedness of said city, and said Board of Education, and the several wards of said city, and which shall at all times show the precise financial condition of the city and the several wards thereof, and of said Board of Education, the amount of bonds, orders, certificates, or other evidences of indebtedness outstanding, and the redemption of the same when redeemed.

SEC. 13. **To Countersign Bonds and Orders.** He shall countersign all bonds, orders, certificates, or other evidences of indebtedness of the city, ward, or Board of Education, and no such bond, order, certificate or other evidences of indebtedness shall be valid until so countersigned.

SEC. 14. **To Keep Accounts—Records to be Competent Evidence.** He shall keep accounts of orders drawn on the treasury in separate books and shall note thereon the cancellation thereof whenever the same shall be cancelled, and shall keep such other books and records as shall be convenient for the preservation of the accounts of all transactions and business of the city, or its wards, or of said Board of Education, and all books, lists and records heretofore kept, or which shall be kept, in the Comptroller's office, and copies thereof by him certified shall be competent evidence of all matters shown by them.

SEC. 15. **Accounts with City Officers.** He shall keep accounts with the City Treasurer, and all other receiving or disbursing officers of said city or its wards, or of said Board of Education. In such accounts he shall charge such officers with all amounts received by them from all sources of revenue, and with all city property in their hands or control as such officers, and credit them with all amounts disbursed or property disposed of on proper authority, and with all money or property turned over to the city, or to their successors in office. He shall examine the reports, books, papers, and vouchers of the Treasurer and of other re-

ceiving and disbursing officers, and perform such other duties as the City Council may direct.

SEC. 16. **To Make Reports** He shall as soon as may be after the close of each fiscal year report to the City Council the financial condition of the city and the several wards thereof, and of the Board of Education.

SEC. 17. **To Countersign and Record Contracts.** He shall countersign all contracts made in behalf of said city, and no such contract shall be valid until so countersigned. He shall keep a book in which he shall enter all contracts, which shall be open to the inspection of all parties interested. He shall not directly nor indirectly be interested in any contract or job to which the city or any ward thereof or said Board of Education is a party.

SEC. 18. **To Audit Accounts.** All claims and demands against the city, before the same shall be allowed by the city council, and all claims against the Board of Education of the City of Minneapolis, before the same shall be allowed by said board, shall be audited and adjusted by the Comptroller: and all orders on the treasury, either on the part of the city or of said Board, shall be examined and countersigned by him, and by him kept until delivered to the persons entitled thereto, and he shall take and preserve receipts for all orders so delivered. He may keep and use a seal of office, which may be used instead of the seal of the city in the execution of licenses and such other sealed instruments as the Comptroller shall be specially directed to issue, and any use of such seal by the Comptroller heretofore, is hereby legalized; or he may use the seal of the city, in his discretion.

SEC. 19. **Duties of Treasurer.** The treasurer shall receive all moneys belonging to the city, including license money and fines, and keep an accurate and detailed account thereof in such manner as the City Council shall from time to time direct. He shall also be *ex officio* Treasurer of the Board of Education of the City of Minneapolis.

SEC. 20. **Bonds of Treasurer.** The Treasurer shall give separate bonds for the safe keeping of the funds of the city and the Board of Education, in such sums as may be required by the City Council and the Board of Education respectively.

SEC. 21. **Treasurer to make Report.** The Treasurer shall, as soon as may be, after the close of each fiscal year and at least fifteen days before the annual election for city officers, exhibit to the City Council a full and detailed account of all receipts and expenditures for the last fiscal year, and also of the state of the treasury, which account shall be filed with the Clerk, and a copy of the same shall be published in the official paper of the city.

SEC. 22. **Wharf Master.** The City Council shall have power to provide for the appointment of a Wharf Master, with power of a police officer, or may devolve the duties of such officer on any member of the police

force, and may by ordinance define the duties of such Wharf Master, and regulate all wharf landings and levees in said city.

SEC. 23. **Jurisdiction of Municipal Court.** The Municipal Court of said city shall have exclusive cognizance and jurisdiction of all trials and examinations within said city, cognizable before a Justice of the Peace under the laws of the State, and of all suits, prosecutions and proceedings for the recovery of all forfeitures, fines and penalties or inflictions of punishments for the breach of any by-law, regulation or ordinance of said city, and of all offences against the same. And in all cases of conviction for assaults, batteries and affrays, disorderly conduct, breach of the peace, keeping or frequenting disorderly houses or houses of ill-fame, the Municipal Court may, in addition to any fine or punishment authorized or imposed, or without such fine or other punishment, compel the accused to give security to keep the peace and be of good behavior, for a period not exceeding six months and in a sum not exceeding five hundred dollars. The Judge and Special Judges of said Court shall have powers of Justices of the Peace as conservators of the peace and in all ministerial and *exparte* matters, and shall have all the power of Justices of the Peace to take depositions to be used in other courts. All fines and penalties imposed by said court shall belong to and be a part of the revenue of said city. Said court shall also have power in all criminal actions within its jurisdiction, when the punishment is by imprisonment, or by imprisonment in default of payment of fine, to sentence any offender to hard labor in any workhouse established by the city for that purpose, or in case of male offenders to sentence them to labor on any public work or improvement, in like manner and under the same qualifications as hereinafter provided in case of offences against city ordinances.

SEC. 24. **City Officers to Turn over City property.** If any person having been an officer in said city, shall not, within ten days after notification and request, deliver to his successor in office all property, books, papers and effects of every description, in his possession belonging to said city, or pertaining to the office he may have held, he shall forfeit and pay to the use of the city one thousand dollars, besides all damages caused by his neglect or refusal to deliver, and such successor may recover the possession of such books, papers and effects in the manner prescribed by the law of this State.

SEC. 25. **No Alderman to be Interested in any Contract.** No Alderman shall be a party to or interested in any job or contract with the city or either of the wards thereof, and any contract in which any Alderman shall be so interested shall be null and void, and in case any money shall have been paid on any such contract, the amount so paid may be recovered by a joint or several action from the parties to such contract, and the Alderman interested in the same.

SEC. 26. **Other Duties may be Required and other Officers Appointed by City Council.** The City Council shall have power at any time to require other and further duties to be performed by any officer whose duties are herein prescribed, not inconsistent with this act, and to appoint such other officers as may be necessary to carry into effect the provisions of this act, and to prescribe their duties, unless herein otherwise provided for.

SEC. 27. **Salaries of Mayor and Aldermen.** (As amended February 27th, 1883.) The Mayor shall be entitled to an anual salary of one thousand dollars. Each Alderman shall be entitled to an annual salary of three hundred dollars, and in addition thereto members of the Board of Equalization of taxes, and Aldermen acting as Judges of Election may be given compensation for such special services.

SEC. 28. **Exemption from Jury Duty.** The Mayor, Aldermen, all city officers and the men employed in the several departments of said city while holding such office or engaged in the service of the city shall be exempt from serving as jurors in any court.

SEC. 29. **City Council to Fix Salaries.** (As amended February 27th, 1883.) The City Council shall have power, where the same is not herein fixed, to fix the compensation of all officers elected or appointed under this act. Such compensation shall be fixed by resolution at the time the office is created, and at the commencement of any year, as soon after election as practicable, and when so fixed, shall not be increased or diminished during the term for which such officer shall have been elected or appointed.

All fees and emoluments of whatever character accruing to any city officer, as such officer, shall be reported to the City Council monthly, and paid monthly into the city treasury, except that the Sealer of Weights and Measures shall be entitled to receive his fees as fixed by the City Council and shall have no other compensation, and except Market Masters and such inspectors, weighers and measurers as the City Council may appoint whenever the City Council fixes their fees and gives them the same in lieu of all other compensation.

SEC. 30. **Officers to Make Returns of Property.** All officers of the city having charge of any city property shall at the close of each fiscal year make and return to the City Council a full inventory of all public property in their hands or control respectively. Such inventories shall be preserved and filed by the City Clerk, and kept open to inspection of all parties interested, but need not be printed in the proceedings unless the Council shall so specially direct.

SEC. 31. **Deputy Comptroller.** (Amendment of Nov. 17, 1881.) The City Comptroller shall have the power to appoint a deputy, who shall be designated "Deputy Comptroller," and whose official acts shall have the same force and effect as if performed by the Comptroller, except that he shall not be authorized to countersign any bond or contract of the city,

nor make any official statement of the condition of any city fund. Such deputy shall, before entering upon the duties of such office, take and file with the City Clerk like oath as is required of other city officers, and may be required by the Comptroller to give such bond as may be satisfactory to himself, for the faithful performance of his said duties; and the Comptroller shall be responsible to the city for the acts of such deputy.

The compensation of such Deputy Comptroller shall be paid by the Comptroller, unless otherwise provided by the City Council.

CHAPTER IV.

THE CITY COUNCIL—ITS GENERAL POWERS AND DUTIES.

SECTION 1. **City Council, Quorum and Presiding Officer.** The Aldermen shall constitute the City Council. A majority of the Aldermen shall constitute a quorum. The President or Vice-President of the Council shall, when present, preside at all meetings. In their absence the Council may elect a President *pro tem.* who shall for such meeting have the same power as the President.

SEC. 2. **Stated and Special Meetings of Council.** The City Council shall hold stated meetings, and the Mayor may call special meetings, by notice to each of the members, to be delivered personally or left at their usual places of abode. At such special meeting no other business shall be transacted than such as is designated in the call. In case of the attendance of less than a quorum at any stated meeting the members present may adjourn to any special time they may designate, and all business transacted at such adjourned meeting shall have the same validity as if done at a stated meeting.

SEC. 3. **City Council Judge of Election of its Members—Rules of Procedure.** The City Council shall be the judge of the election of its own members, and in such cases shall have the power to send for persons and papers. It shall determine the rules of its own proceedings, and have power to compel the attendance of absent members, and may provide for the punishment of such absent members.

SEC. 4. **Power to Remove Officers and how Exercised.** The City Council shall have power to remove from office any officer of said city whether appointed by the City Council or elected by the people, but no officer elected by the people shall be removed except for cause, nor unless first furnished with a copy of the charges, nor until such person

shall have had reasonable opportunity to be heard in person or by counsel in his own defense. Continued absence from the meetings of the Council in case of Aldermen, and neglect of duty in case of other officers, unless for good reason, shall be deemed a good cause of removal.

The City Council shall fix a time and place for the trial of such officer, of which not less than ten days' notice shall be given, and shall have power to compel the attendance of witnesses, and the production of papers, and to hear and determine the case, and if such officer shall refuse or neglect to appear and answer such charge the City Council may declare the office vacant.

SEC. 5. **Power to Enact Ordinances and their Force.** (As amended February 27th, 1883.) The City Council shall have full power and authority to make, ordain, publish, enforce, alter, amend or repeal all such ordinances for the government and good order of the city, for the suppression of vice and intemperance, and for the prevention of crime, as it shall deem expedient. and in and by the same to declare and impose penalties and punishments, and enforce the same against any person or persons who may violate the provisions of any ordinance, passed and ordained by it, and all such ordinances are hereby declared to be and to have the force of law, provided, that they be not repugnant to the laws of the United States or of this State; and for these purposes the said City Council shall have authority by such ordinances:

First—To license and regulate the exhibitions of common showmen, and shows of all kinds, and the exhibitions of caravans, menageries, circuses, concerts, and theatrical performances, also to license and regulate all auctioneers, pawnbrokers, dealers in second-hand goods, junk dealers, keepers of intelligence or employment offices, as well as all persons doing the business of seeking employment for others or procuring or furnishing employees for others, billiard tables, pigeon-hole tables, nine or ten-pin alleys, bowling saloons, shooting-galleries, taverns, victualling houses, and all persons vending, dealing in or disposing of spirituous, vinous, fermented or malt liquors. *Provided*, that all licenses, except for exhibitions, caravans, menageries, circuses, concerts and theatrical performances shall extend to and terminate upon the first Monday in May next after the same shall be issued, unless sooner revoked.

And provided, further, that the power to regulate, above given, shall be construed to include among other powers the power to define who shall be considered as auctioneers, pawnbrokers, dealers in second-hand goods, and junk dealers, and to compel each and every such person, whether licensed or not, to keep in such manner as it may direct, open at all times for inspection or record of all such property as it may designate, with the time when received, and the name, residence and description of the person from whom the same was received, and to make daily reports thereof to the police department of said city as it shall direct, and also among other powers, the power to require all persons doing the

business of seeking employment for others, or procuring or furnishing employees for others, to keep open at all times for inspection such records of their business as it may designate, and to furnish to every person with whom they may deal such written evidences of the transaction as it may designate, and to prescribe and punish all kinds of unfair dealings by such persons in the course of their said business, and to establish such rules of legal evidence as it may see fit, for the proof of such unfair dealings.

Second—To restrain and prohibit all descriptions of gambling and fraudulent devices and practices, and all playing of cards, dice or other games of chance, for the purpose of gambling in said city, and to restrain any person from vending, or dealing in spirituous, fermented or vinous liquors, unless duly licensed by the City Council.

Third—To prevent any riots, noise, disturbance, and disorderly assemblages in said city, and to provide for the arrest and punishment of any person or persons who shall be guilty of the same; to suppress disorderly houses and houses of ill-fame, and to provide for the arrest and punishment of the keepers thereof, and to authorize the destruction of all instruments used for the purpose of gaming.

Fourth—To compel the owner or occupant of any cellar, tallow-chandler shop, soap factory, tannery, stable, barn, privy, sewer, or other unwholesome, nauseous house or place, to cleanse, remove, or abate the same from time to time, as often as may be necessary for the health, comfort and convenience of the inhabitants of said city.

Fifth—To direct the location and management of stock yards, slaughter houses and markets, breweries and distilleries, and to establish rates for and license vendors of gunpowder, and regulate the storage, keeping, and conveying of gunpowder, dynamite, or other combustible materials, and regulate the use thereof in blasting.

Sixth—To prevent the encumbering of streets, sidewalks, alleys, lanes, public grounds or wharves, with carriages, carts, wagons, sleighs, boxes, lumber, fire-wood, posts, awnings, or any other materials or substances whatever.

Seventh—To regulate the movement and speed of railroad locomotives and cars, to require the maintenance of flagmen or the construction and maintenance of gates at the crossings of railway tracks over such streets or avenues as said City Council shall deem to require such precautions; to regulate or prohibit the whistling of locomotive engines; to regulate and prohibit the unnecessary discharging of the steam therefrom, and the causing or permitting steam to escape therefrom unnecessarily, and to require the use thereon of such safety valves or other practical appliances as it may designate for the purpose of preventing or lessening the noise from the discharge or escape of steam; and to prevent and punish immoderate driving or riding in the streets; to compel persons to fasten their horses or other animals attached to vehicles or otherwise, while

standing in the streets, and to regulate places of bathing and swimming in the waters within the city limits.

Eighth—To restrain the running at large of horses, mules, cattle, swine, sheep, poultry and geese, and to authorize the distraining and sale of the same, and to impose penalties on the owners of such animals for violation of the ordinances.

Ninth—To prevent the running at large of dogs, and to require a license for keeping the same, and to authorize the destruction of the same in a summary manner when at large, contrary to the ordinance.

Tenth—To prevent any person from bringing, depositing or having within said city any putrid carcass or other unwholesome substance, and to require the removal of the same by any person who shall have upon his premises any such substance, or putrid or unsound beef, pork, fish, hides or skins, of any kind, and on default to authorize the removal thereof by some competent officer, at the expense of such person or persons.

Eleventh —To make and establish public pounds, pumps, wells, cisterns, hydrants and reservoirs, and to erect lamps and to provide for lighting of the city, and to contract for the erection of gas works for lighting the streets and public grounds and public buildings, and to create, alter and extend lamp districts.

Twelfth—To establish and regulate boards of health, provide hospitals, and hospital grounds, the registration of births and deaths, and the returns of the bills of mortality, and regulate or prevent the burial of the dead within the city limits.

Thirteenth—To regulate the assize and weight of bread, and to provide for the seizure and forfeiture of bread baked contrary thereto.

Fourteenth—To prevent all persons riding or driving any ox, mule, cattle or other animal on the sidewalks in said city, or in any way doing damages to such sidewalks.

Fifteenth—To prevent the shooting of firearms or crackers, and to prevent the exhibition of any firearms in any situation which may be considered by the Council dangerous to the city, or any property therein, or annoying any citizen thereof.

Sixteenth—To prevent open or notorious drunkenness and obscenity in the streets or public places of said city, and to provide for the arrest and punishment of all such persons who shall be guilty of the same.

Seventeenth—To restrain and regulate porters, expressmen, hackmen, and also runners, agents and solicitors for boats, vessels, stages, cars, public houses or other establishments.

Eighteenth—To establish public markets and other public buildings, and make rules and regulations for the government of the same; to appoint suitable officers for overseeing and regulating such markets, and to restrain all persons from interrupting or interfering with the due observance of such rules and regulations.

Nineteenth—To license and regulate butchers' stalls, shops and stands, for the sale of game, poultry, butchers' meat, butter, fish and other provisions, and also to license and regulate all peddlers doing business within said city.

Twentieth—To regulate the place and manner of weighing hay and straw and selling the same, and the measuring and selling of firewood, coal and lime, and to appoint suitable persons to superintend and conduct the same.

Twenty-first—To compel the owner or occupant of buildings or grounds to remove snow, dirt or rubbish from the sidewalk, street or alley opposite thereto, and compel such occupant or owner to remove from the lot owned or occupied by him, all such substances as the Board of Health shall direct, and in his default, to authorize the removal or destruction thereof by some officer of the city, at the expense of such owner or occupant. Also to compel the owners of low grounds where water is liable to collect and become stagnant, to fill or drain such low places, and in their default to authorize such filling or draining at the expense of such owner or owners.

Twenty-second—To control and regulate the construction of piers and wharfs, or grading said wharfs into the Mississippi river, within the corporate limits of said city, and to prescribe and control the prices to be charged for pierage or wharfage thereon, and to prevent and remove all obstructions in the water of said river, and to prescribe and regulate rates of wharfage and pierage to be charged to any boat or vessel landing or mooring at any landing, wharf or pier, within the limits of said city, and paid to said city, and to regulate the landings, levees, wharves and piers within the limits of said city, and boats and vessels landing and mooring at the same.

Twenty-third—To regulate, control and prevent the landing of persons from boats, vessels or other conveyances whereon are contagious or infectious diseases or disorders, and to make such dispositions of such persons as to preserve the health of said city.

Twenty-fourth.—To regulate the time, manner and place of holding public auctions or vendues.

Twenty-fifth—To provide for watchmen, and to prescribe their number and duties, and regulate the same, and to create and establish the police of said city, and prescribe the number of police officers and their duties, and to regulate the same.

Twenty-sixth—To provide by ordinance for a standard of weights and measures, for the appointment of a City Sealer, and to require all weights and measures to be sealed by the City Sealer, and to provide for the punishment of the use of false weights and measures.

Twenty-seventh—To regulate the inspection of wood, hay, grain, flour, pork, beef, mutton, veal, and all other kinds of meat, poultry, game, fish, salt, whisky and other liquors, and provisions.

Twenty-eighth—To appoint inspectors, weighers, and gaugers, to regulate their duties and prescribe their compensation.

Twenty-ninth—To direct and regulate the planting and preservation of ornamental trees in the streets, alleys, public grounds and highways of the city, and to appoint a Forester, whose duty it shall be to inspect all trees offered for sale for the purposes named, to superintend the planting and culture of the same, and to perform such other duties as the City Council may prescribe.

Thirtieth—To remove and abate any nuisance injurious to the public health, and to provide for the punishment of all persons who shall cause or maintain such nuisance.

Thirty-first—To remove and abate any nuisance, obstruction or encroachment upon the streets, alleys, public grounds and highways of the city.

Thirty-second—To do all acts and make all regulations which may be necessary and expedient for the preservation of health and the suppression of disease, and to make regulations to prevent the introduction of contagious diseases into the city, and to make quarantine laws, and enforce the same within the city.

Thirty-third—To restrain and punish vagrants, mendicants, street beggars and prostitutes.

Thirty-fourth—To license and regulate hackmen, draymen, expressmen, and all other persons engaged in carrying passengers, baggage or freight, and to regulate their charges therefor; to prescribe standing places or stations within the streets, where such hacks, drays, or other vehicles used for such carriage may stand or remain while waiting for business or orders, and to designate such standing or waiting places in the licenses to such draymen, hackmen or other persons, and to prohibit them from standing or waiting at any other place within such streets, and to regulate and prescribe standing places for all vehicles, going to or waiting at any railroad depot or station in said city, and to authorize the Mayor or Chief of Police of said city to regulate and direct the location of vehicles at such railroad depots or stations.

Thirty-fifth—To regulate the construction of all buildings of more than two stories in height within the fire limits of said city, and by such regutions to prescribe the depth of cellars, the material and method of construction of foundations and foundation walls, the manner of construction and location of drains and sewer pipes, the thickness, material and construction of party walls, partitions and outside walls, the size and material of floor beams, girders, piers, columns, roofs, chimneys, flues and heating apparatus, to apportion and adjust such regulations to the height and size of the buildings to be erected; to regulate the construction and location of privies and vaults in such buildings, to prohibit the construction of buildings not conforming to such prescribed standard, either in the whole city or within such building limits as it may prescribe; to

establish, alter or enlarge such building limits from time to time; to appoint an inspector or inspectors of buildngs, or to devolve the duties of such inspector on any city officer; to give such inspectors or other officer authority to enter upon, examine and inspect all buildings in process of construction in said city or within such building limits, and to direct the suspension of any such building operation as shall not conform to such regulations. *Provided, however*, that neither said city council nor any inspector or officer of said city shall have control or regulation of any building erected by the United States or the State of Minnesota.

Thirty-sixth—To provide for and regulate the erection of hitching posts or rings for fastening horses, or to prohibit them in any portion of the city, in its discretion.

Thirty-seventh—To regulate the opening of hatchways and compel proper guards about the same.

Thirty-eighth—To regulate the numbering of houses and lots and to compel the owners of houses and other buildings to have the numbers of such houses or buildings designated thereon.

Thirty-ninth.—To require the owner or lessee of any building or structure, now, or hereafter built or constructed in said city, to place thereon, such fire escapes and such appliances for protection against, and for the extinguishment of fire, as it may direct, and also to require such owner or lessee to construct, provide and furnish each and every other thing, and to do each and every other act which it may think necessary or advisable to lessen the dangers to human life in case of fire or accident.

Fortieth.—To regulate or prohibit the location and use of such steam boilers, in size and construction as it may designate as being dangerous to life or property, or to prohibit the location of any such steam boiler except when permission therefor is first given by the City Council specifying the location and prescribing the regulations for its use.

Forty-first.—To regulate and control the quality and measurement of gas, to prescribe and enforce rules and regulations for the manufacture and sale of gas, to provide for the inspection of gas and gas meters, and to appoint an inspector and other officers if needed for that purpose, and prescribe their duties.

Forty-second.—To regulate and control or prohibit the placlng of poles therefor, and the suspending of electric and other wires, along or across the streets of said city, and to require any or all already placed or suspended, either in limited districts, or througheut the entire city to be removed or to be placed in such manner as it may designate beneath the surface of the street or sidewalk.

SEC. 6. **Punishment for Breach of Ordinances.** The city council may impose punishment for the breach of any ordinance of the city to the extent of a fine not exceeding one hundred dollars, and imprisonment in the city prison or county jail not exceeding ninety days, or both, and may provide that the offender during such imprisonment be fed on

bread and water at the discretion of the Judge of the Municipal Court, and offenders against such ordinances may be required to give security to keep the peace and for good behavior for a period not exceeding six months and in a sum not exceeding five hundred dollars.

SEC. 7. **Offenders may be put to Labor.** The City Council may also provide by ordinance that any one convicted of an offense before the Municipal Court subjecting such offender to imprisonment under the ordinances of said city, may be kept at hard labor in any workhouse established for that purpose, or in case of a male offender, may be kept at hard labor during his term of punishment in such workhouse or upon the public improvements of said city, or both; and may also provide by ordinance that any one convicted of an offense before said Municipal Court, and committed upon non-payment of fine imposed, may be kept at hard labor in any workhouse of said city aforesaid, or in case of a male offender, may be kept at hard labor either in such workhouse or upon the public improvements, or both, until such person shall work out the amount of such fine, at such rate of compensation as said council may prescribe, for a time not exceeding said commitment; and the City Council shall have full power to establish by ordinance all needful regulations for the security of such persons thus employed, and to prevent escape and secure proper discipline, and shall have power to establish a proper workhouse in said city for the purpose aforesaid, and under such regulations as said City Council may prescribe. *Provided*, that the City Council aforesaid is hereby authorized to use the Hennepin county jail as the workhouse of the city of Minneapolis provided for in this act; the prisoners of the city to be as at present in the custody of the Sheriff of Hennepin county, except while working on the improvements of said city, when they shall be under the control of the police force of said city; *and provided further*, that the Judge of the Municipal Court of said city shall have power, for vagrancy, to commit any person to the city prison, or workhouse, or county jail, or to order any such person to work on the public improvements of said city for a term not exceeding ninety days.

SEC. 8. **Style of Ordinances. Subject to be Stated in Title.** The style of all ordinances shall be "The City Council of the City of Minneapolis do ordain." The subject of every ordinance shall be expressed in its title, and no ordinance shall embrace more than one subject.

SEC. 9. **Ordinances and Resolutions, how passed and published.** All ordinances and resolutions of the City Council shall be passed by an affirmative vote of a majority of all the members of the City Council, by ayes and nays which shall be entered in the records of the Council. No ordinance shall be passed at the same meeting of the Council at which it shall have been presented except by the unanimous consent of all the members present, which shall be noted in the record, but this shall not preclude the passage of ordinances reported by any committee of the Council to whom the subject of such ordinance shall

have been referred at any previous meeting. When approved, they shall be recorded by the City Clerk in books provided for that purpose, and before they shall be in force they shall be published in the official paper of the city.

SEC. 10. **Ordinances and Resolutions, how Authenticated. Municipal Court to take Judicial Notice of Ordinances.** A copy of the record of any ordinance or resolution heretofore passed and recorded or that may hereafter be passed, certified by the clerk and verified by the seal of the city, any copy thereof published in the official paper of the city or printed in the books containing the official proceedings of the City Council, or published in any compilation of ordinances made under direction of the City Council, shall be *prima facie* evidence of the contents of such ordinances and of the regularity and legality of all proceeding relating to the adoption and approval thereof, and shall be admitted as evidence in any court in this state without further proof.

In all actions, prosecutions and proceedings of every kind before the Municipal Court of the City of Minneapolis, such court shall take judicial notice of all ordinances of the said city, and it shall not be necessary to plead or prove such ordinances in said Municipal Court.

SEC. 11. **Majority of Whole Council Required to Make Appropriations.** No appropriation shall be made without a vote of a majority of all the members of the City Council in its favor, which shall be taken by ayes and nays and entered among the proceedings of the Council.

SEC. 12. **Abatement of Nuisances by Suit not Prevented.** The powers conferred upon the City Council to provide for the abatement or removal of nuisances shall not bar or hinder suits, prosecutions or proceedings according to law.

SEC. 13. **City Council to Adjust Accounts of City Officers.** The City Council shall examine, audit, and adjust the accounts of the Clerk, Treasurer, Street Commissioner, Clerk of the Municipal Court and all other officers and agents of the city at such times as they deem proper and also at the end of each year, and before the term for which the officers of said city were elected or appointed shall have expired; and the City Council shall require each and every such officer and agent to exhibit his books, accounts and vouchers for such examination and settlement, and if any such officer or agent shall refuse to comply with the orders of said Council in the discharge of his said duties, in pursuance of this section, or shall neglect or refuse to render his accounts or present his books or vouchers to said Council or a committee thereof, it shall be the duty of the City Council to declare the office or such persons vacant, and the City Council shall order suits and proceedings at law against any officer and agent of said city who may be found delinquent or defaulting in his accounts or the discharge of his official duties, and shall make a full record of all such settlements and adjustments.

SEC. 14. **Council to have charge of Finances and property of City.** The City Council shall have the management and control of the finances

and all property of the city, and may provide for the sale of any such property, in such manner as it shall consider for the interest of the city.

SEC. 15 **Power to Condemn Private Property and Award Damages.** The City Council shall have the power to acquire by purchase or condemnation such private property as may be necessary for sites for public buildings for the use of the city and all departments thereof, for all structures connected with any department of the city, and for all streets, alleys and public squares in the city, and to ascertain and determine the value of all such private property taken for such uses, and the amount of all damages occasioned to any private property by reason of any public works or structures, and for that purpose may appoint commissioners to appraise such values or damages, or acquire information thereof in any other manner it shall deem advisable.

SEC. 16. **Revocation of Licenses.** Any license issued by authority of the City Council may be revoked by the Mayor or City Council at any time, and upon conviction before the Municipal Court of the City of Minneapolis, of any person holding a license, for a violation of the provisions of any ordinance relating to the exercise of any right granted by such license, the said court may, and upon a second conviction shall revoke such license in addition to the penalties provided by law or by ordinance for any such violation.

CHAPTER V.

ASSESSMENT OF TAXES, AND FINANCES.

SECTION 1. **Appointment of City Assessor.** (As amended February 27th, 1883.) The City Council shall, at its first regular meeting in March, One thousand Eight hundred and Eighty-three (1883), and at the same time in every year thereafter, or as soon after said meeting as may be, appoint one (1) assessor, who shall be an officer of said city, styled City Assessor, and who shall keep an office to be provided by said city. The term of office of the [city] Assessor shall be three (3) years, commencing on the last Monday in March of the year of his appointment, and until his successor is appointed and qualified. Vacancies in said office may be filled as in other cases. The City Assessor shall in each year appoint such number of deputies as may be required to enable him to properly do his work, such appointments, however, to be approved and confirmed by the City Council, which deputies shall serve during the time of the making of the lists, but only so long as their services may be needed, the City

Assessor discharging such of said deputies, from time to time, as the work proceeds, as he can spare. The City Assessor shall also, with the approval of the City Council, employ such clerks as may be necessary, their number to be reduced or increased whenever occasion requires or the City Council directs. The City Assessor shall, so far as may be, present to the City Council at its second regular meeting in March of each year the names of such persons as he shall desire to have for deputies, designating in each case the time when the appointee shall, with the approval of the City Council, commence to serve as such, which time shall be long enough before May first so that each may before that day be assigned his portion of the work and be properly instructed and prepared to do the same. He may, however, in case his deputies are not all appointed or all confirmed at that time, present to the City Council other names for deputies at subsequent meetings as occasion shall require. The City Assessor and his deputies shall qualify in the manner, and discharge the duties prescribed by general law. It shall also be the duty of the City Assessor to make full preparations and do whatever he can towards the making of his lists beforehand, and the County Auditor shall deliver to him his assessment books and blanks in season to enable him to do so. He shall commence on the first day of May of each year, and as soon as may be thereafter complete his lists according to law, but he shall be allowed until the second Monday in July to revise his lists, correct and equalize his appraisals and make out and complete the assessment of said city. Notices may be signed and given and other acts in the line of his duty done by any Deputy Assessor in the name of the City Assessor; *provided*, however, that each assessor now serving as such (unless appointed City Assessor) shall, if he desires to do so, serve as Deputy Assessor until the expiration of the time for which he was appointed as Assessor, subject, however, to removal as in other cases.

SEC. 2. **Duties of City Assessor.** (As amended February 27, 1883). In all respects not herein expressly provided for the City Assessor shall in making assessments be governed by the rules, both in respect to the property to be listed and assessed and the manner of listing and assessing the same, which are or may be prescribed by the general laws of the state for the government of Assessors in other parts of the state.

SEC. 3. **Board of Equalization and Duties.** (As amended February 27, 1883). The standing Committee on Taxes of the City Council shall constitute a Board of Equalization, who shall be sworn according to law as such board, and meet at the City Council room in said city on the second Monday of July, of every year, and revise, amend and equalize the assessments on the roll of the City Assessor. It shall be the duty of the City Assessor to be present at all meetings of the said Board of Equalization; to present before the board all facts relating to the assessment. Such Board of Equalization is vested with all the powers which are or may be vested in county Boards of Equalization under the general laws of

the state so far as applicable, but shall not be restricted by any limitation in respect to reducing aggregate sums of real or personal property as returned by the City Assessor.

SEC. 4. **Further duties of the Board of Equalization and City Attorney.** Such Board of Equalization may sit from day to day or adjourn from time to time as it shall deem proper, until it shall have completed the equalization of such assessments. It shall complete such equalization on or before the second Tuesday of August of every year. and shall have power to employ such clerk or clerks as shall be necessary to complete the revision of such assessment rolls within said time. Every person aggrieved by any assessment shall have the right to appear before such board and present his grievance for its consideration.

It shall be the duty of the City Attorney to attend the hearing of such grievances before such board, and whenever it appears upon the hearing of such grievances that any property is listed or assessed at less than its true value, to call attention of the board to such undervaluation and to make application in behalf of the city for the correction of such undervaluation.

SEC. 5. **Assessment Rolls to be Confirmed by Council and returned to County Auditor.** When the assessment rolls shall have been revised by the Board of Equalization, they shall be returned to the City Council who may confirm the same or return the same to said board for further revision, to be again reported to the City Council. When the City Council shall have confirmed the assessment the City Clerk shall enclose therein a memorandum of such confirmation, and such rolls shall then be returned to the County Auditor as other assessment rolls. In case said City Council shall neglect to take final action on such rolls on or before the second Thursday after the first Tuesday of August of every year, it shall be the duty of the City Clerk to return them to the County Auditor, with a certificate of the fact, and in such case the assessment rolls, as revised or equalized by such board, shall have the same validity as if confirmed by said City Council.

SEC. 6. **Compensation of City Assessor, Clerks and Board of Equalization.** (As amended February 27, 1883). The City Assessor shall be paid a stated annual salary, to be fixed by resolution of the City Council. All Deputy Assessors, clerks of assessors and of the board, and the members of such Board of Equalization, shall be paid such reasonable compensation upon accounts of time, audited by the Comptroller, as shall be determined by the City Council.

SEC. 7. **Fiscal Year Defined.** The fiscal year of said city shall commence on the first day of March.

SEC. 8. **Comptroller to Report Estimate of Expenses.** The City Comptroller shall, on or before the tenth day of September of each year, report to the City Council an estimate of the current expenses of the city and the several wards thereof, for the fiscal year commencing on the

first day of March next ensuing, together with a statement of the amount of all revenues received by the city for the year ending on the first day of September, from other sources than taxation. He shall also, as soon as may be after the State Board of Equalization shall have completed its adjustment of the assessment of the taxable property in said city, report to the City Council a computation of a rate of tax levy which, with the amount of revenue received by the city for the last year, reported as aforesaid and applicable to the current expenses of the city, shall be sufficient to defray the current expenses of the city for the next fiscal year, according to the aforesaid estimate, and, at the same time, a computation of the amount of tax levy on the several wards of the city necessary to defray the expense of such wards, according to his said estimates.

SEC. 9. **Revenues of the City, to what Funds Applied.** The revenues of said city derived from licenses, rents, fines, except such fines collected from keepers or inmates of houses of prostitution as may be otherwise provided for, and all costs and judgments collected in favor of said city shall be devoted to the current expenses of the city. All receipts from sales of property shall be applied to the permanent improvement fund.

SEC. 10. **Levy of Tax for Current Expenses.** After the making of the reports of the City Comptroller, provided for in section eight hereof, the City Council shall levy such tax on all the taxable property in said city as it shall deem necessary, in addition to the other revenue of the city applicable thereto, to defray the current expenses of the city for the next fiscal year, but no such taxes for such current expenses shall in any year amount to more than one-half per cent. of the assessed valuation.

SEC. 11. **Comptroller to report expenses of first quarter of fiscal year. Duty of Council to reduce expenses.** The city comptroller shall, as soon as may be, after the first day of June of each year, make report to the City Council of the actual expenses of the city for the first quarter of the then current fiscal year, the amount of taxes collected and outstanding, and of the revenues received from other sources, and if upon the making of such reports it shall appear that the current expenses for such quarter have exceeded the estimates upon which the tax levy therefor was based, or that the revenues of said city are likely to fall short of their estimated amount at the time of making such tax levy, the City Council shall forthwith proceed to reduce the current expenses of said city, in such manner as may be deemed advisable, and for that purpose may diminish the amount of service for lighting streets, reduce the force or number of men employed in the several departments of the city except the fire department, but in the discharge of such employees said City Council shall, so far as may be, provide that such discharge shall be operative only during the summer months of the year, and when necessary, for the proper reduction of such expenses, may reduce the salaries or compensation of all officers and persons em-

ployed by said city, by a uniform rate not exceeding ten per cent. of such salaries or stated compensation. In all future contracts for lighting streets the right of the city to reduce the amount of service on account of deficiency of revenues shall be reserved.

SEC. 12. **Levy of Ward Taxes.** The city council shall also at the time of making such levy for current expenses, and upon the recommendation of a majority of the Aldermen of each of the several wards of the city, levy upon the taxable property in such wards such tax, not exceeding one-fourth of one per cent. of the assessed valuation of such wards as may be necessary to defray the expenses of such ward for the next fiscal year.

SEC. 13. **Levy of Taxes to Pay Interest and Principal of City Debt.** The City Council shall also at the same time levy, upon all the taxable property in said city, such taxes as shall be sufficient to pay the interest to become due during such next fiscal year upon all the bonds or debt of said city, and an additional tax of one mill on the dollar of the assessed valuation of all such taxable property to provide for the principal of said bonds or debt when the same shall become due, and the amounts collected pursuant to this section shall not be applied to any other purpose than herein named, but this restriction shall not prohibit the investment of the sinking fund hereinafter provided for.

SEC. 14. **Council to Provide for Maintenance of Sinking Fund.** In order to provide for the certain payment of the bonds and debts of the city, the City Council is authorized to maintain the sinking fund already established, and to provide by ordinance for the care, investment and security thereof, and from time to time to amend such ordinances in such manner as may be necessary or expedient, but shall have no authority to abolish such sinking fund until all the debts of the city are fully paid, nor shall it divert said fund or any revenue or increase thereof to any other purpose. All amounts, if any there be, collected of the tax to pay the interest on the bonds of the city in excess of the amount of such interest, the whole amount of the one mill levy for the payment of the bonds of the city provided for in the preceding section, and all revenues of the city not otherwise appropriated, shall be applied to the increase of such sinking fund.

The City Council shall by such ordinance provide for and appoint a board of Sinking Fund Commissioners, consisting of three persons, determine the time such commission shall serve, and define such of their duties as are not herein enumerated. Such commissioners shall have charge of said sinking fund, and by and with the consent of the City Council invest the same in the bonds of the said city, or such other bonds as are permitted for the investment of the permanent school fund of the State of Minnesota, or in the bonds of any city in the State of Minnesota having a population of five thousand or more, or in such county or school bonds in the State of Minnesota as may be approved. In case of invest-

ment in the bonds of said city, the same shall not be cancelled, but shall be held by said commissioners and the interest thereon paid over and applied to the increase of such sinking fund. Whenever the principal of any of the bonds of the city shall become due, such commissioners shall, by and with the consent of the City Council, dispose of such of the bonds belonging to such fund as with the money on hand belonging to the same shall be necessary to pay such bonds. Whenever the amount of such sinking fund shall with the interest or revenue thereof, computed to the time of maturity of the bonds or debt of the city, be sufficient to pay all of said bonds or debt at the maturity thereof, the levy of the one mill tax aforesaid may be omitted, but in case by reason of decrease of interest or depreciation of investments, or other cause, said fund shall not be sufficient, the same shall be resumed.

In case the City Council, Sinking Fund Commissioners, or other city officers, shall violate or neglect to conform to any of the provisions of this section, any tax-payer of the city, or any owner of any of the bonds of said city, shall have the right to maintain, in any court of competent jurisdiction, any appropriate action to enforce compliance therewith.

The substantial maintenance of the provisions of this and the preceding section for the payment of the principal and interest of the bonds or debt of said city, is hereby declared to be part of the contract with the holder of any bonds of the city that may hereafter be issued, and shall be kept inviolate.

SEC. 15. **May refund debt not paid by sinking fund; No other bonds to be issued or debt contracted.** Whenever the sinking fund provided for in Section 14 hereof, shall be insufficient to pay all the bonds of the city that may at any time become due, the City Council may issue the bonds of the city, to run not exceeding thirty years, on such terms as to place of payment and rate of interest as may be deemed advisable, to such amount as may be necessary to meet such deficiency, but neither said City Council, nor any officer nor officers of said city, shall otherwise, without special authority of law, have authority to issue any bonds, or create any debt, or any liability against said city in excess of the amount of revenue actually levied and applicable to the payment of such liability.

SEC. 16. **Permanent Improvement Fund how Established and Maintained.** The City Council is hereby authorized to issue the bonds of said city to an amount not exceeding forty thousand dollars, for such time, not exceeding thirty years, and on such terms as to rate of interest, and place, and manner of payment, as may be deemed advisable, and to put the avails thereof into the treasury of said city, to be kept distinct from all other funds of the city, and designated as the Permanent Improvement Fund. The City Council may provide for the payment out of said fund of the expenses of any such improvement as may be assessed in whole or in part upon any special property to be benefited by such improvement, and in advance of the collection of such assessments.

From said fund shall also be paid all such portions of the expenses of such assessable improvement as shall devolve on said city, and also the expense of all bridges, buildings, water works and other permanent improvements not otherwise specially provided for by law. No part of such fund shall ever be applied to the payment of the current expenses of said city, nor to any other purposes than such as are herein designated. All sums collected upon special assessments, whose costs shall have been advanced out of such fund, shall be returned to said fund. The City Council shall annually, at the time of making the other tax levies of said city, levy a tax sufficient to replace all expenditures made from said fund, not provided for by such special assessments, and may by tax levy provide for the increase of such fund to such amount as may be deemed necessary, provided that the whole amount of tax levied in any year, on account of such fund, shall not exceed one-fourth of one per cent. of the assessed valuation of the taxable property in said city.

SEC. 17. **Comptrollor to Report Deficiencies, and when not to countersign contracts.** Whenever the amount contracted or appropriated to be expended out of such permanent improvement fund or of any ward fund shall be equal to the amount of such fund actually on hand and one third of the amount of uncollected taxes levied for the current fiscal year as aforesaid, and applicable to such fund, or when the amount called for by any proposed contract shall, together with the amounts previously appropriated or contracted for, exceed the amount of such fund on hand, and such one-third of the uncollected taxes, the City Comptroller shall forthwith notify the City Council of such fact, and he shall not countersign any contract payable out of such fund until the amount of such fund on hand, with one-third of the amount of uncollected taxes aforesaid, shall be sufficient to meet the liabilities created by such contract in addition to all liabilities previously contracted for, and he shall never countersign any contract payable out of the revenues of any other fiscal year than the one in which such contract shall be performed. He shall countersign no order upon the treasury until there shall be money in the treasury belonging to the proper fund wherewith to pay the same, and all orders on the treasury shall be countersigned in the order in which the claims are allowed, upon each fund respectively.

SEC. 18. **How Taxes Levied.** All taxes shall be levied by resolution of the City Council, and no tax shall be invalid by reason of any informality in the manner of levying the same, nor because the amount levied shall exceed the amount required to be raised for the special purpose for which the sum is levied, but in such case the surplus shall go into the fund to which such tax belongs and may be applied to the further uses of such fund.

SEC. 19. **Statement of taxes levied to be returned to the County Auditor.** The City Council shall cause to be transmitted to the County Auditor of Hennepin county, on or before the tenth day of Octo-

ber of every year, a statement of all taxes by it levied, and such taxes shall be collected and the payment thereof be enforced with and in like manner as state and county taxes are paid and the payment thereof enforced.

SEC. 20. **Avails of Taxes to be paid to City Treasurer.** The County Treasurer of said Hennepin county shall pay over such taxes, together with all interest and penalties which shall be collected on account of the same, when collected, to the Treasurer of said city, and in the several settlements of the funds to be so paid over as provided for by general law, said County Treasurer shall account for and pay over to the City Treasurer such portions of the interest paid by bankers with whom funds of said county are deposited, as have accrued upon funds arising from city taxes and assessments so deposited with such county funds or as parts thereof.

Whenever, previous to any of the settlements provided for by law, there shall be a lack of funds in the city treasury for any purpose and there shall be funds in the county treasury which shall have been collected on account of city taxes or assessments, the County Treasurer shall, on the application of said City Treasurer, advance and pay over such sums as shall be estimated to be the amount collected on account of such city taxes or assessments, and such advances shall be accounted for and adjusted at the next regular settlements with said city. The City Treasurer shall also forthwith, after such settlements, adjust and apportion the funds so advanced among the several city funds in his hands.

SEC. 21. **County Auditor to make returns to Comptroller.** (As amended November 4, 1881). It shall be the duty of the County Auditor of the county of Hennepin to make out and transmit to the City Comptroller of said city, on or before the first day of December of each year, a statement showing the exact amount of taxes levied on account of the several funds of said city, and each ward thereof, and of the Board of Education of said city, according to the tax lists made out by said Auditor, and at the same time make out and transmit to said Comptroller a statement of all abatements, corrections or additions to said tax lists, and of all amounts of all taxes cancelled as uncollectable, within the year next preceding, and the several amounts of such changes affecting each of the said several funds; and also a further statement of the amounts of taxes delinquent and outstanding applicable to said several funds, and in such statement to be made on the first day of February, A. D., 1882, he shall also state the said several amounts so delinquent on the tax lists for the years 1878, 1879 and 1880, and of 1877 and prior years. He shall also, at the time of making settlements with the County Treasurer required by law, furnish said Comptroller with a certified statement of the several amounts collected by said County Treasurer on account of each of said several funds as shown by such settlements.

SEC. 22. **No Money to be Paid out of City Treasury Except on Orders.** No money shall be paid out of the city treasury, except for

principal or interest of bonds, unless such payment shall be authorized by a vote of the City Council, and shall then be drawn out only upon orders signed by the Mayor and Clerk and countersigned by the Comptroller, which orders shall specify the purpose for which they were drawn, and the fund out of which they are payable, and the name of the person in whose favor they may be drawn, and may be made payable to the order of such person or to the bearer, as the City Council may determine.

SEC. 23. **Orders to be Cancelled.** When any such order shall have been paid to or received by the Treasurer, it shall not again be issued, but he shall immediately cancel the same and file the same away in his office, keeping the orders drawn upon each fund separate.

SEC. 24. **Examination and Destruction of Cancelled Orders.** The City Council may provide for the examination from time to time of such cancelled orders, and also of cancelled bonds or other obligations in the hands of the Treasurer and for their destruction, preserving such record or vouchers thereof as the City Council or any committee thereof may deem proper.

SEC. 25. **Banks to give Bonds for Deposits of City Funds.** Any bank in Hennepin County with a capital stock equal to or exceeding fifty thousand dollars which desires to receive on deposit, as provided in this act, a portion of the funds in the hands of the City Treasurer of said city, shall, prior to the first Monday in April, A. D. one thousand eight hundred and seventy-nine, file with the City Comptroller of said City an application for such deposits, stating that they will furnish good and sufficient bonds payable to the City of Minneapolis for double the amount of money likely to be received, and conditioned for the safe keeping and payment of the funds so deposited and interest thereon; and that they will pay interest on such deposits as provided in this act. The applications so filed shall be presented to the City Council, who shall determine upon the amount of bonds which will be required of each bank, and the City Clerk shall notify the banks thereof. The banks shall then execute such bonds with three or more sureties, and present them to the City Council for approval; and all of such banks which shall furnish bonds which shall be approved by the City Council shall be designated by the City Council as depositories for funds in the City Treasury.

SEC. 26. **City Funds to be Deposited.** After such designation shall have been made, all the funds then in the hands of the City Treasurer, or thereafter received by him, shall be deposited in the banks designated, in the name of the City of Minneapolis, and subject to the order of the City Treasurer; and the funds so deposited shall be distributed as near as may be in proportion to the paid up capital stock of the banks receiving such deposits.

SEC. 27. **Interest to be Paid on Deposits.** The banks receiving such funds on deposit shall pay interest on the same at the rate of three per cent. per annum on daily balances, which interest shall be computed at

the end of each calendar month, and placed to the credit of said city at that time; *provided*, that if the City Treasurer shall at any time receive, or have in bank, funds which will probably remain on deposit three months or longer, instead of leaving such funds deposited in open account he shall take therefor certificates of deposit, payable to his order on demand, and bearing interest from date at a rate not less than four per cent. per annum, and at such higher rate as he may be able to negotiate for; *provided further*, that the total amount deposited in any bank (both on open account, and on certificates of deposit,) shall not at any time exceed one-half the amount of the bonds of said bank to the city.

SEC. 28. **City Treasurer to Make Monthly Statements of Deposits.** The City Treasurer shall make monthly statements of the amount of money deposited as hereinbefore provided, giving the amount deposited in open account, and in interest bearing certificates, in each bank separately, and file such statement with the City Clerk, who shall present the same to the City Council at its next regular meeting thereafter; and the City Clerk shall furnish a copy thereof to any local newspaper applying therefor for publication, free of charge.

SEC. 29. **City Treasurer not Liable for Loss of Deposits.** When the funds in the hands of the City Treasurer shall be deposited as hereinbefore provided, such treasurer and his bondsmen shall be exempt from all liability therefor by the reason of the loss of any such deposited funds from the failure, bankruptcy, or any other acts of any such bank or bankers, to extent and amount of such funds in the hands of such bank or bankers at the time of such failure or bankruptcy.

SEC. 30. **Treasurer to Negotiate with Banks outside of Hennepin county in certain cases.** If all the banks of Hennepin county shall decline to give bonds and receive deposits as provided in this act, or if the bonds offered shall not be of sufficient amount to cover and make secure the deposits to be made, then the City Treasurer, with a committee of the City Council, shall negotiate for such deposit or such part thereof as they may deem necessary, with any bank or banker outside of Hennepin county, which will give bonds, with sureties to be approved by the City Council; and in case such negotiation be made and bonds accepted then the City Treasurer is hereby authorized to deposit the funds of said city in such bank, in the same manner as in banks mentioned in section ten of this chapter. Provided, that no bank outside of Hennepin county shall be so selected unless it have a paid up capital of not less than fifty thousand dollars.

SEC. 31. **City Treasurer to Make Efforts to Secure Interest.** It is hereby made the duty of the City Treasurer to make every endeavor to secure interest on the public funds, consistent with their safe keeping, as herein provided; and to manage such funds in the interest of the city. But he shall in no case postpone or defer any payments after the same shall become due, in order to secure additional interest on such funds.

At the close of each fiscal year, the City Treasurer shall make a statement of the total amount of interest on public funds received by him during the year, and such interest shall be placed to the credit of the several funds from which it shall accrue.

SEC. 32. **Newly Organized Banks may Apply for Deposits.** Any bank in Hennepin County, newly organized, or which has not before received any of the city funds on deposit, having a paid up capital of not less than fifty thousand dollars, may at any time make application to the City Council for the deposit of a portion of the city funds, and if they shall give bonds which shall be approved by the City Council, and comply with the conditions of this act, the City Council may designate any such bank as a depository of such funds, as provided in section twenty-four of this chapter.

SEC. 33. **City Council may Require Additional Bonds.** Whenever, from the change in the financial ability of sureties, or from other causes, the City Council shall deem the bonds of any bank insufficient security for the funds therein deposited or liable to be deposited by the City Treasurer, the City Council shall require a new bond with sureties to be approved by the City Council, to be given by such bank, and if such bank shall fail to promptly execute and present such new bond, the City Treasurer shall at once withdraw all deposits from such bank, and such bank shall cease to be a depository of city funds, until it shall be reinstated as such by vote of the City Council upon the execution of bonds, which shall be approved by the City Council.

SEC. 34. **Bonds to Continue in Force and be Recorded.** All bonds given by banks as provided in this chapter shall continue in force so long as funds of the city or of which the City Treasurer is the custodian in any way, deposited in such bank, shall be unpaid by the banks giving such bonds. And the City Council, at its second regular session in the month of March in each year, shall examine all the bonds in the hands of the City Treasurer, and if any are deemed insufficient, they shall require new bonds to be executed; and the Council may make such examination and orders at any other time. All of such bonds given by banks under the provisions of this chapter shall, upon being approved by the City Council, be recorded by the City Comptroller, and then deposited with the City Treasurer for safe keeping; and the record of such bonds so kept by the City Comptroller, or copies thereof certified by that officer, shall be competent and *prima facie* evidence of the contents and tenor of such bonds.

SEC. 35. **Disposition of fines from Prostitutes.** The City Council is authorized to appropriate and set apart the whole or any portion of the fines which may be collected from keepers or inmates of houses of ill-fame, or from persons resorting to such houses, for the use and support of any institution in said city established for the care and reformation of fallen women, or [for] the building and maintaining of a city hospital.

SEC. 36. **Appropriations, from what Fund Paid.** All appropriations and expenses of the city not otherwise specially provided for, shall be paid out of the fund for the current expenses of the city.

SEC. 37. **Levy of Taxes for Payment of Judgment.** No limitation or restriction herein shall be construed to prohibit the levying of taxes to pay any judgment that may at any time be recovered against said city, but in case of such judgment the City Council shall at the time of making the last annual tax levy after the rendition of such judgment levy and assess a special tax upon all the property in the city or such ward thereof as may be responsible for the payment of such judgment, sufficient to pay such judgment. In case of failure to collect taxes or other cause such levy shall prove insufficient new taxes shall be levied until the whole of such judgment is paid. Any excess of the amount so levied and collected over the payment of such judgment shall be credited to the current expense fund of the city, or the funds of the proper ward as the case may be.

CHAPTER VI.

POLICE DEPARTMENT.

SECTION. 1. **Mayor to have Control. Appointment and Removal of Officers.** The Mayor shall have control and supervision of the police of the city. He shall, by and with the consent of the City Council, appoint all police officers and watchmen, and he may remove or discharge any police officer or watchman whenever in his opinion the welfare of the city may demand it, either for the appointment of other officers in their places, or for the reduction of the police force.

SEC. 2. **Policemen for Limited Districts.** The Mayor may likewise, at the request of any person, firm, society or organization, appoint policemen or watchmen, who shall serve without expense to the city, and have police powers to preserve the peace and protect [the] property within such limits, and at such places as may be designated in such appointment, but such limited policemen or watchmen shall not exercise any authority nor wear any badge of office outside the limits named in such appointment.

SEC. 3. **Special Policemen.** The Mayor may, in case of riot, large public gatherings or other disturbances, appoint such number of special

or temporary police officers as he may deem necessary, but such special or temporary appointments shall not continue more than one week without the consent of the City Council.

SEC. 4. **Officers of the Police and their Rank to be designated by the Mayor.** The Mayor shall, in his appointments, designate one officer to be Chief of Police, and such other officers for the performance of special duties, and with such control over other officers or watchmen as may be deemed necessary, and may designate the rank of such police officer by such proper title as he shall select.

SEC. 5. **Police Powers.** All police officers and watchmen of the city shall possess the powers of constable at common law or by the laws of the State, and in addition thereto shall have the power, and it shall be their duty, to execute and serve all warrants, process, commitments and all writs whatsoever issued by the Municipal Court of the city; and they shall have the power with the consent and by the direction of the Mayor, to pursue and arrest any person fleeing from justice in any part of the State. They shall also have power, and it shall be their duty, to serve all summons or subpœnas, in behalf of said city, within their jurisdiction. When such officers perform the duties of constables within the city for private parties the city shall be entitled to like fees for their services, to be taxed and collected in like manner.

When they pursue criminals outside the city, and such criminals are charged with offences against State laws, they shall be entitled to receive for their own use all fees for such pursuit and all rewards offered for the apprehension of such criminals.

SEC. 6. **Police Regulations.** The Mayor shall, with the consent and approval of the City Council, from time to time make such regulations for the control of the police force, and the powers and duties of the several officers thereof, as he may deem necessary, and in like manner alter the same. Such regulations may designate uniforms, badges, arms, discipline, drill and exercise of the police force, as well as the conduct of the officers and men of said force when on or off duty, and all other matters deemed necessary to promote the efficiency of the force.

SEC. 7. **Officers of the Peace.** The Mayor, or Acting Mayor, Chief of Police, the officers of police next in rank to the Chief, the Sheriff of Hennepin county and his deputies, the Coroner, the Judge of the Municipal Court, and all police officers and watchmen, shall be officers of the peace, and may command the peace, suppress in a summary manner all rioting or disorderly behavior within the city limits, and for such purposes may command the assistance of all by-standers, and, if need be, of all citizens and military companies, and, in cases when the civil authorities may be required to suppress riot or disorderly behavior, the superior or senior officer present, in the order mentioned in this section, shall direct the proceedings.

SEC. 8. **Penalty for Refusing to Aid in Keeping the Peace.** If any person, bystander, military officer or private, shall refuse to aid in preserving the peace when thereto required as designated in the foregoing section, every such person shall forfeit and pay a fine of fifty dollars to be recovered by prosecution in the Municipal Court.

SEC. 9. **Penalty for Assuming to Act as a Policeman without Authority.** If any person shall, without authority, assume to act as policeman, or to pretend to have such power, or wear the badge of policeman within said city, he shall be deemed guilty of a misdemeanor, and upon conviction thereof before the Municipal Court, he shall be fined or imprisoned in the discretion of said court.

CHAPTER VII.

FIRE DEPARTMENT.

SECTION 1. **Power to Establish Fire Limits.** The City Council, for the purpose of guarding against the calamities of fire, shall have power to prescribe the limits within which wooden buildings, or buildings of all other materials that shall not be considered fire-proof, shall not be erected, placed or repaired, and to direct that all and any buildings within the limits prescribed, shall be made and constructed of fire-proof materials, or of such mrterials and with such precaution against fire as the City Council shall by ordinance prescribe, and to prohibit the repairing or rebuilding of wooden buildings within the fire limits when the same shall be damaged to the extent of fifty per cent. or more of the value thereof, and to prescribe the manner of obtaining the consent to make repairs in such fire limits, and of ascertaining the extent of damages.

SEC. 2. **Powers of City Council to Prevent Fires.** The City Council shall have power to prescribe in what manner, and of what material chimneys shall be constructed, and to prevent the dangerous construction and condition of chimneys, fire-places, hearths, stoves, stove pipes, ovens, boilers and apparatus used in and about any building, and to cause the same to be removed or placed in secure condition when considered dangerous; to prevent the deposit of ashes in unsafe places, and the throwing of ashes in the streets and highways, to compel the use of spark arresters in all smoke stacks connected with apparatus where light fuel is consumed, to regulate and prevent the carrying on of manufactures dangerous in causing and promoting fires, and the storing of inflammable

or explosive materials, and the use of fire works and fire-arms. To regulate and prevent the sale, or keeping for sale, or use of any fire works, Chinese crackers, rockets, torpedoes or other explosive contrivances, and to provide for the seizure and destruction of the same. Also to compel owners of buildings to have scuttles in roofs and stairs and ladder to the same and compel owners of buildings of three or more stories in height to maintain ladders or fire escapes, and to regulate the number and location thereof; to regulate the location and construction of smoke houses, and to prohibit them where they shall be deemed dangerous to other buildings, and to make any other provisions to guard against fire, or to prevent the spreading of fires, which the City Council may deem proper.

SEC. 3. **City Council to have Power to Purchase Fire Apparatus.** The City Council shall have power to purchase, keep and maintain fire engines and other fire apparatus, and to build and maintain engine houses, hose houses and such other buildings as may be necessary or convenient, also to erect and maintain fire-alarm telegraphs and boxes, and every other means for giving notice of fires.

SEC, 4. **Regulation of Fire Department by Ordinance.** The City Council shall have power and authority to make by ordinance all needful rules for the government of the Fire Department and for the protection and use of all engine houses, telegraph lines, and other property and apparatus pertaining thereto, and of the water-works, mains, pipes, cisterns and hydrants in said City, as used in connection with said department, and by such ordinance provide for the punishment of persons injuring or interfering with such property, or any portion thereof, and may also by such ordinance make provision to keep away from the vicinity of any fire all idlers and suspected persons. and to compel all bystanders to aid in the preservation of property exposed to danger by such fire.

SEC. 5. **Chief Engineer and other Officers.** The City Council shall annually appoint a Chief Engineer of the Fire Department and provide by ordinance for such other officers and men as may be deemed necessary for such department, and define the respective ranks and duties of such Chief Engineer and other officers and men and their compensation.

SEC. 6. **Appointment and Removal of Officers and Men.** The Chief Engineer shall nominate for the approval of the City Council all other officers and men connected with such department, and may at any time by and with the consent of the standing Committee on Fire Department of the City Council remove or discharge such officers or men as he may deem it for the interest of the city to discharge, and whenever the City Council shall deem it necessary to reduce the number of men employed, said Chief Engineer shall upon the direction of the City Council recommend the discharge of such officers or men as can be released without impairing the working efficiency of such department.

SEC. 7. **Fire Marshal.** The City Council may designate such officer of the Fire Department as it may select to act as Fire Marshal of the

city, to see that the ordinances of the city relating to the building and care of chimneys, and respecting all other precautions against dangers from fires are not violated, and who shall have power and be fully authorized to enter any dwelling house or other building at all hours, between seven o'clock in the morning and six o'clock in the evening, and examine all chimneys, stoves, furnaces, pipes and other parts of such buildings, and see that the ordinances of the city respecting the same are enforced. It shall further be the duty of such Fire Marshal to examine particularly into the cause of every fire which shall happen within the city, and to make and keep a brief record of the same, and make report thereof to the Council at the first regular meeting in every month.

SEC. 8. **Fire Police.** Whenever the City Council shall deem it necessary it may provide for a Fire Police of such numbers and with such powers as it may determine, and for that purpose it may either give police powers to such of the officers or men of the Fire Department as may be necessary, or authorize the appointment of the necessary policemen in the same manner as other policemen are appointed. In all cases, all policemen present at any fire shall be subject to the direction of the officers of the Fire Department present at such fires.

SEC. 9. **Penalty for Refusing to Obey Orders at Fires.** If any person shall, at any fire, refuse to obey the orders of the Chief Engineer of the Fire Department, or other officer vested with authority at such fires, such person may be arrested by the direction of the officer whose orders are so disobeyed, and, upon complaint made before the Municipal Court of said city, shall be punished by fine not exceeding fifty dollars and costs of prosecution, and imprisonment until such fine and costs are paid, not exceeding sixty days.

SEC. 10. **Expenses, how Paid.** All expenses of the Fire Department and all amounts paid for the purchase of fire apparatus, or any property for use of the Fire Department, or the erection of any telegraph, shall be paid out of the funds devoted to payment of current expenses of the city. The construction of engine-houses or other buildings for the use of such department may be paid for out of the Permanent Improvement Fund of the city.

SEC. 11. **Wooden Sidewalks Prohibited.** The City Council shall have power to prohibit the construction of wooden sidewalks within the fire limits of the city, whenever it shall deem the safety of the city to require it.

CHAPTER VIII.

STREETS, SIDEWALKS AND BRIDGES.

SECTION 1. **City Council to have Control.** The City Council shall have the care, supervision and control of all highways, streets, alleys, public squares and grounds within the limits of the city, and may lay out and open new streets and alleys, and extend, widen, straighten, and may build, maintain and repair bridges across streams or railway tracks, may provide for the pavement of gutters or the road beds of any street or alley.

SEC. 2. **Establishment and Change of Street Grades.** The City Council shall have power to establish the grade of any street when such grade has not been established, and may by vote of two-thirds of the members of the Council change the grade of any street after such grade has been established. It shall cause accurate profiles of the grades of all streets to be made, and kept in the office of the City Engineer.

SEC. 3. **Vacating Streets. Power of Council Exclusive.** The City Council may also, by a vote of two-thirds of the members thereof, vacate any highway, street, lane or alley, or portion of either; and such power of vacating highways, streets, lanes and alleys within the City of Minneapolis is vested exclusively in said City Council, and no court or other body, or authority shall have any power to vacate any such highway, street, lane or alley, nor any plat or portion of any plat of lands within said city.

SEC. 4. **Council may Contract for Cleaning Streets by Districts.** The City Council shall have power to designate districts of portions of the streets and alleys of the city, for the purpose of cleaning the same and may provide for the cleaning of such districts by contract on such terms as shall be deemed advisable.

SEC. 5. **Work to be done by Contract.** All work done or constructions made, pursuant to the provisions of this chapter, shall, so far as practicable, be done by contract, and of all contracts calling for the expenditure of one hundred dollars or more, public notice shall be given and proposals invited for the same in such manner as the Council shall direct.

SEC. 6. **Street Commissioners.** (As amended November 12, 1881, and as further amended February 27, 1883). The City Council shall, at its first meeting after each annual election, appoint one Street Commissioner for each ward of the city, whose term of office shall be for one year.

The several Street Commissioners of the city shall also act as health inspectors for said city, and shall have the same authority as police officers in enforcing the ordinances of said city for the security of public health, and shall act under the direction of the Health Officer and Board of Health of said city.

All work done by the Street Commissioners shall be subject to the approval of the Aldermen of their respective wards, and the City Engineer.

It shall be the duty of such Street Commissioners to see that all streets and sidewalks under their charge, which have been graded and opened for travel, are kept clear from obstruction and in such repair as to be safe and passable; also, to superintend, subject to the directions of the City Engineer or general Street Commissioner, the grading of streets and laying of sidewalks, and to carry into effect all orders of the City Council. But no Street Commissioner shall do any work upon streets except such as is necessary to keep traveled streets and improved sidewalks in repair and passable condition, and unless such work is specially ordered by the City Council. The Street Commissioners shall keep accurate accounts of all their work and expenditures, and make detailed and itemized reports thereof to the City Council at least once in every two months, and oftener if ordered by the Council. And no bill for compensation to such Street Commissioner shall be allowed unless the same shall be accompanied or preceded with full and itemized reports of his work and expenditures up to the time of rendition of such bill.

The City Council may also appoint one general Street Commissioner for the entire city, who shall receive and observe the instructions of the City Engineer, superintend and have general charge of the work of the Street Commissioners of the several wards, and do all other things which the City Council may require him to do.

SEC. 7. **No Street Commissioners to have interest in any work.** No Street Commissioner shall be interested in any contract for any work to be done under his charge, nor be allowed compensation for any use of team owned by himself or in which he shall have any interest, nor for any material or labor furnished by him, except his personal services, nor shall he receive directly or indirectly any commission, gratuity, money, or valuable thing from any person doing work or furnishing material for any work or construction under the charge of such Street Commissioner or any other Street Commissioner or the City Engineer of the city.

SEC. 8. **Penalties.** If any City Engineer, Street Commissioner, or any other officer of the city shall have any interest in any contract work or construction done pursuant to this chapter, all such contracts shall be void, and all such work done, material furnished or applied for the use of the city shall be forfeited, and every such City Engineer, Street Commissioner, or other officer who shall accept any gift or gratuity, or any commission from any person having contracts with said city, or furnishing material or performing labor under the provisions of this chapter, which

contract, material or labor shall be under the charge or supervision of such Engineer, Commissioner or other officer, or subject to acceptance by them, or either of them, shall be punished in the same manner as provided by law for the acceptance of bribes by public officers.

SEC. 9. **Bridges and Streets, from what Funds Maintained.** All bridges in said city crossing the Mississippi River, or any natural stream or watercourse in said city tributary to said river, whatever the form or material used in the construction thereof, shall, together with the guards and embankments connected therewith, and the immediate approaches thereto which form a necessary part of the same, and also all such bridges crossing railway tracks, canals and the approaches thereto, or any portions thereof as shall not be chargeable to any railway company, be built, maintained and kept in repair by the city, as a general city charge; all other expenses connected with the opening, grading and keeping in repair streets, lanes, alleys, highways and thoroughfares, shall be paid from taxation upon the several wards wherein such works shall be done, except where other provision is made therefor.

SEC. 10. **Power to Open new Streets and Assess Expenses.** Whenever the City Council shall determine to lay out or open new streets or alleys in said city, or to widen, straighten or extend any that now exist or may hereafter exist, it may, for such purposes, purchase or condemn any real estate or interest therein which is private property, and provide for the payment of the value of such property as may be taken for such improvement, and all damages done to any private property by reason of such improvement, and the expense of making such improvement by assessing, levying and collecting the whole expense of such improvement, or such parts thereof as may be considered equitable, upon the property to be benefited by such improvement, without regard to cash valuation; but no assessment for such improvement shall exceed the actual benefit to the property upon which the same shall be assessed, and in case the whole expense of such improvement shall exceed the benefits accruing therefrom to any specific property, the excess of such expense shall be made a general city charge and be paid as current expenses of the city. Nothing in this section shall be construed as permitting the condemnation of any ground of any cemetery or burial place and occupied for such purposes, without the consent of the owners of such ground.

SEC. 11. **Pavements.** The City Council is hereby authorized in its discretion to cause to be paved, repaved, or macadamized any street or alley or any part thereof in the city, or any gutter along any side of any street or alley or any portion thereof, in such manner as it may direct, and to collect the expense and cost of the same by special assessment upon the property fronting on such improvements on the same side of the street, but the expense of paving or otherwise improving the crossings of such streets and of such improvements as shall be in front of property exempt from such assessment or belonging to the city shall be paid from the Perma-

nent Improvement Fund of the city. No assessments shall be made for paving or macadamizing any ground occupied by railway tracks or lying between such tracks.

SEC. 12. **Sidewalks; how Maintained.** It is hereby made the duty of all owners of land adjoining any street, lane or alley in said city, to construct, reconstruct, and maintain in good repair such sidewalks along the side of the street, lane or alley next to the lands of such owner respectively, as may have been heretofore constructed, or as shall hereafter be constructed, or directed by the City Council to be built, and of such material and width, and upon such place and grade as the City Council may by ordinance or otherwise prescribe. Whenever the City Council shall deem it necessary that any sidewalk in the City of Minneapolis shall be constructed or reconstructed, it shall by resolution direct such construction or reconstruction, specifying the width thereof and the material of which the same is to be constructed. The publication of such resolution once in the official paper of the city shall be sufficient notice to the owners of the land along which such sidewalk is to be built to construct the same, and unless such owners shall each along his respective land construct and fully complete such sidewalk within two weeks after the publication of such resolution as aforesaid, the City Council shall forthwith proceed to ascertain the expense of constructing the same and assess and levy such expense upon and against each lot and parcel of land upon which such sidewalk shall front. Such assessment shall be collected in the same way as in all things as is provided for the collection of special assessments under the provisions of chapter ten of this charter. And the City Council may either before or after making such assessment cause such portion of such sidewalks as have not been built by the owners of such land fronting on the same, and all street crossings, to be built by the proper Street Commissioner, or upon contract, or by any other person as the Council may determine.

SEC. 13. **Repairs of Sidewalks.** If the owner of any lot or parcel of land shall suffer any sidewalk along the same to become broken, rotten, or out of repair, it shall be the duty of the proper Street Commissioner to immediately repair the same in a good, substantial and thorough manner, and to report to the City Council the cost of such repairs in each case, and a description of the lot or parcel of land abutting which such repairs are made, and such report shall be carefully filed and preserved by the City clerk; and the City Council shall once in each year, at or as near as conveniently may be, the time of levying the yearly city taxes, assess and levy upon each of the lots and parcels of land fronting or abutting upon sidewalks which have been so repaired by Street Commissioners the cost of making such repairs. In each case such assessments for all such repairs within the year may be combined in one assessment roll and be collected as provided for in chapter ten of this charter. In case any such sidewalk shall become so out of repair as to become dangerous, and can-

not be made safe without being rebuilt, and there are no funds to defray the expense of such rebuilding, it shall be the duty of the proper Street Commissioner to remove the same entirely, and the expense of such removal shall be added to the cost of rebuilding when the same shall be reconstructed, and collected with the assessment for such reconstruction.

SEC. 14. **Liability for Insufficient Sidewalk.** It is not only made the duty of all owners of land within said city to keep in good repair all sidewalks constructed or existing along or abutting upon their respective lots and parcels of land, but such owners are hereby declared to be liable for all damages, to whomsoever resulting, arising from their fault or evident neglect in not keeping any such sidewalk in good repair, and in safe passable condition; and no action shall be maintained against the City of Minneapolis by any person injured through or by means of any defect in any sidewalk, unless the owner of the land along which such sidewalk was so defective is joined in said suit as a party defendant, and in case of judgment against the defendants in such action, execution shall at first issue only against the defendant owning such land, and the city shall not be required to take steps to pay such judgment, until such execution shall be returned unsatisfied; and if said city shall pay such judgment it shall become the owner of the same, and may enforce payment of the same from the other defendant, and shall be entitled to execution therein against him, and to take such other proceedings as judgment creditors are entitled to take.

SEC. 15. **Cost of Sidewalk; from what Fund Advanced.** Moneys to build or repair sidewalks, when the same shall be done by the Street Commissioner under this act, or in case of building by a contractor, may be advanced from the Permanent Improvement Fund, to be reimbursed by the special assessment when collected, and the expense of constructing all street crossings of sidewalks shall be chargeable to the proper ward; and whenever any damages for injuries to any person through or by means of defective sidewalks shall be paid by the city, the money to pay the same shall be raised by taxation upon the ward, wherein the injury happened.

SEC. 16. **Ground to be Graded.** It shall be the duty of the City Council, before ordering the construction of any new sidewalk, to cause the ground on which it is to be built to be properly graded.

SEC. 17. **Street Sprinkling.** Whenever the owners or occupants of a majority of the amount of frontage, and of assessed values of lots or lands, and the buildings and improvements thereon fronting on any continuous portion of any street in this city, not less than one full block, through or across which the water pipes of the city water-works are or may be laid, shall petition the City Council to provide for sprinkling such portion of said street, the City Council may make a contract for sprinkling such portion of such street for any time not exceeding five years, upon

such terms and conditions, and for such portion of each year as shall be deemed advisable.

Water for such sprinkling shall be furnished from the city water-works free of charge. The supply of such water shall be deemed the proportion of the expenses for such sprinkling, for the street crossings and all parts of such street fronting on land exempt from assessment. The whole cost of sprinkling such portion of the street shall be levied and assessed upon the lots and lands fronting upon that part of the street so sprinkled and which are subject to assessment, and the buildings and improvements thereon, by an equal rate on the assessed value of such lots, lands, building and improvements without regard to the number of front feet. Such levy to be made annually.

SEC. 18. **Liability for Obstructions and Excavations in Streets.** All persons who shall by means of any excavations in, or obstruction upon, any street of said city not authorized by law or the ordinances of said city, render such street unsafe for travel, or who shall by negligence in the management of any such excavation or obstruction as shall be authorized, or by failure to maintain proper guards or lights thereat, render such street insufficient or unsafe for travel, shall be liable for all damages not caused by the negligence of the party injured, to whomsoever resulting, by reason of such obstruction or negligence, and no action shall be maintained against said city for such damages unless such person or persons shall be joined as party defendants; and in case of judgment against the defendants in such action, execution shall at first issue only against the defendant causing such insufficiency, and the city shall not be required to take steps to pay such judgment until such execution shall be returned unsatisfied, and if the city shall pay such judgment it shall become the owner of the same and may enforce payment of the same from the other defendant, and shall be entitled to execution therein against him, and to take such other proceedings as judgment creditors are entitled to take.

SEC. 19. **Service upon Absent Defendants.** Whenever any party is joined with said city as co-defendant in any action for the insufficiency of any street or sidewalk, and such party is not a resident of and cannot be found within the State, service of summons in such action may be made upon such defendant upon like evidence, and in the same manner as prescribed by general law for service by publication in other actions.

SEC. 20. **Limitation of Actions.** No action shall be maintained against the City of Minneapolis on account of any injuries received by means of any defect in the condition of any bridge, street, sidewalk or thoroughfare, unless such action shall be commenced within one year from the happening of the injury, nor unless notice shall have first been given in writing to the Mayor of said city, or the City Clerk thereof, within thirty days of the occurrence of such injury or damage, stating the place where and the time when such injury was received, and that the person so

injured will claim damages of the city for such injury; but the notice shall not be required when the person injured shall in consequence thereof be bereft of reason. Nor shall any such action be maintained for any defect in any street, until the same shall have been graded; nor for any insufficiency of the ground where sidewalks are usually constructed, when no sidewalk is built.

SEC. 21. **No Railway Company, or Street Railway Company, to Obstruct Streets by Piling up Snow.** No Railway Company, or Street Railway Company, shall have any right in clearing their tracks through any part of said city, or otherwise, to pile up snow or other material and leave the same piled upon any traveled portion of any street in said city. And any such company shall be liable to any person who shall be injured by means of any such obstruction caused by such company, or its servants, for all damages sustained. And in case any damages shall be recovered against the city for injuries caused by such obstruction, the city shall have the right to recover the same again from the company by whom the obstruction was caused.

SEC, 22. **City Districts for Street Purposes.** The City Council shall have power to designate by ordinance or resolution such portions of the territory lying adjacent to or outside of the boundary lines of the city as it may deem proper as a city district, and may from time to time extend the limits of such district to include any territory not lying at a greater distance than three miles at any point in direct line from the boundary line of said city, and within said district the City Council shall have control of the laying out of streets and alleys and the acceptance of plats of additions and the dedication of property for streets and public grounds therein, and may require that all streets and alleys laid out or donated within such district shall conform to and be continuous with the system of streets and alleys within said city. and to that end may indicate by survey and plat such streets, alleys and the arrangement and dimensions thereof as in its discretion will be best calculated to meet the wants and conveniences of said city and its surroundings, or any future extension growth thereof.

The city districts heretofore established shall be continued until modified or extended by said City Council.

SEC. 23. **Plats of Additions how Made and Adopted.** Whenever any person shall subdivide any lot or piece of ground within said city or city district into building lots for the purpose of selling the same, or any part thereof, he shall cause the same to be surveyed and platted in accordance with the provisions of Chapter XXIX of the General Statutes, and when the survey and plat are so completed and acknowledged, it shall be presented to the City Council and a copy thereof furnished the City Engineer. Said City Council may accept or reject said plat, or direct it to be changed or modified in such manner as it shall deem expedient. When any plat is accepted by the City Council the City Clerk shall

so certify upon the face of such plat, when it may be recorded in the same manner and with the same effect as provided by General Statutes in respect to town plats. All the provisions of Section 9, Chapter 29, of General Statutes shall be applicable to said city or city districts and in addition thereto no person shall be entitled to any damage for the laying out or extension of any street or alley over any lot or parcel of land sold or offered for sale contrary to law.

SEC. 24. **Effect of Accepting Plats.** The acceptance of such plat or addition of any ground either within or outside the limits of said city shall not make the city liable to grade the streets therein designated, nor responsible for any insufficiency of such street, until the City Council shall direct the same to be graded and opened for travel.

CHAPTER IX.

WATER WORKS AND SEWERS.

SECTION 1. **Maintenance of Water Works and Sewers.** The City Council shall have power to maintain the water works and sewers now established in said city, and to enlarge, extend, relay and improve the same as it shall consider the public good shall require.

SEC. 2. **Condemnation of Private Property.** Whenever in the enlargement or extension of water works or sewers, it shall in the judgment of the City Council be necessary to take any private property, consisting of either land, buildings, water power or other private property, the City Council shall have power to acquire the same by purchase, or by condemnation, in the manner provided in chapter ten (10) of this charter, and in such cases of condemnation, as well as purchase, a full title in fee simple to the property acquired shall vest in said city.

SEC. 3. **Assessment for Water Mains.** (As amended February 27, 1883). Whenever water mains shall be laid, relaid or extended through any street or alley of said city, or any portion thereof, the City Council shall have the power, and it shall be its duty, to levy and collect by special assessment, such portion of the cost or expense thereof as shall not exceed the estimated cost of laying a six-inch main (including pipe) hydrants, valves and all necessary specials, by a special assessment upon the property on both sides of such street or alley fronting upon such improvement, of an equal sum per front foot without regard to cash valuation. The cost not provided for by such assessment, including the increased cost of larger mains, and the cost of laying mains upon street

crossings, as well as the proportion which would otherwise be assessed against any property which is by law exempt from such assessment, shall be paid out of the Water Works Fund hereinafter provided for.

Or, instead of the plan above proposed, the City Council may for all water mains laid, relaid or extended during any one season, levy and collect an equal sum per front foot, without regard to the cash valuation of such property, and without regard to the size of the mains, by a special assessment upon all the property not exempt, on both sides of all the streets and alleys in which such water mains shall be laid, relaid or extended, and abutting upon the same, which sum shall not exceed the sum of two (2) dollars per lineal foot of such mains. The cost in excess of the sum above named, and the cost of such mains upon street crossings and against property which is by law exempt from such assessment, shall be paid out of the said Water Works Fund.

To authorize the following of this plan the City Council shall first determine what portion of the cost of such main not exceeding the sum per lineal foot above named, is the just and fair proportion of such cost which should be borne by the abutting property, and shall by resolution name and fix the amount per lineal foot which it determines to be such just and fair proportion. Thereupon this shall be the plan to be followed, and the amount so named and fixed shall be and remain, in all cases, the portion of the cost of all such mains laid, relaid or extended in said city, which shall be levied upon, assessed against and collected of abutting property until a different amount be, by like resolution of the City Council, named and fixed, or until the City Council by resolution determines to adopt and follow the other plan first above proposed. *Provided*, that in case of a reassessment for any cause the City Council may direct that the reassessment be made upon either of the plans here proposed without regard to which plan was adopted in the first instance.

SEC. 4. **Construction and Assessment for Sewers,** (as amended February 27, 1883.) The City Council may in like manner, whenever it shall deem it necessary, lay, relay or extend any sewer through any street in said city, and levy and assess, and collect the cost thereof, not exceeding the estimated cost of a sewer two feet in diameter, including all necessary catch basins, manholes, lampholes and flushing valves, by a special assessment upon the property on both sides of such street and abutting upon such improvement, of an equal sum per front foot without regard to cash valuation. The cost not provided for by such assessment, including the increased cost of larger sewers and constructing the same across streets and against property which is by law exempt from such assessment, shall be paid out of the Permanent Improvement Fund of said city. A sewer two feet in diameter is hereby declared to be an ordinary street sewer within the meaning of this act, for the drainage of abutting property.

Or instead of the plan above proposed the City Council may for all sewers constructed, laid, relaid or extended during any one season, levy and collect an equal sum per front foot without regard to cash valuation of such property, and without regard to the size of the sewers, by a special assessment upon all the property not exempt, on both sides of all the streets along which such sewers shall be constructed, laid, relaid or extended, and abutting upon the same, which sum shall not exceed the sum of four (4) dollars per lineal foot of such sewers. The cost in excess of said sum, and the cost of such sewers upon street crossings and against property which is by law exempt from such assessment, shall be paid out of the Internal Improvement Fund of said city.

To authorize the following of this plan, the City Council shall first determine what portion of the cost of such sewers not exceeding the sum per lineal foot above named, is the just and fair proportion of such cost which should be borne by the abutting property, and shall by resolution name and fix the amount per lineal foot which it determines to be such just and fair proportion. Thereupon this shall be the plan to be followed, and the amount so named and fixed shall be and remain, in all cases, the portion of the cost of all sewers constructed, laid, relaid or extended in said city, which shall be levied upon, assessed against and collected of abutting property until a different amount be, by like resolution of the City Council, named and fixed, or until the City Council by resolution determines to adopt and follow the other plan first above proposed. *Provided*, that in case of a re-assessment for any cause the City Council may direct that the re-assessment be made upon either of the plans here proposed without regard to which plan was adopted in the first instance.

SEC. 5. **Construction and Assessment for Service Pipes** (as amended February 27, 1883.) The City Council may at all times regulate and control the time and manner of laying and constructing, by private parties, branch pipes and sewers leading from main lines of water mains and sewers, and of making connections with main lines and with branch lines both public and private. The City Council may, too, whenever it shall deem it necessary to lay or construct branch pipes or sewers in order to prevent future tearing up of streets, or for any other reason, determine in the case of each main line, or of any specified portion of a main line, the location, number and manner of construction of such branch lines, providing, in its discretion, one or more for each district, lot, or parcel of land, or one for two or more adjacent lots or parcels of land, may require the proper officer to make surveys, plats and profiles showing the same, which when approved and adopted shall thereafter be preserved in the office of the City Engineer, and may thereupon, whether such main line has already been constructed or is in process of constrction, forthwith lay and construct all such branch pipes and sewers, not already constructed by the private parties interested,

from a connection with the main line to the line of the street. Whenever the City Council constructs one or more such branch pipes or sewers it shall assess the whole cost of each upon the lot or parcel of land to which it runs without regard to the valuation or frontage of such lot or parcel of land, but in case one branch is to serve two or more lots or parcels of land it shall assess the whole cost of the same upon all the lots or parcels of land to be served by it an equal sum per front foot, without regard to valuation. The cost of such branches may be assessed and collected in advance of their construction as in case of other improvements, in which case the cost shall be estimated and fixed in manner substantially like the way pointed out by section eight (8), chapter ten (10), hereof, for the improvements therein specified, with such variances in the matters to be reported and in the other details as shall be suggested by the different character of the improvement, or such branches may be determined upon and forthwith constructed without prior estimate or other proceedings, in which case the actual cost of construction certified to by the City Engineer and approved by the City Council shall be assessed, after the completion of the same, against the private property, as above specified. In either case the assessment shall be made and collected substantially as provided in case of other improvements. The City Council may, however, in case it constructs any branch at the time it constructs the main line, assess in the manner above named the whole cost thereof and add the same to, and include it with, the assessment for the main line. The City Council may subject to such terms, and under such regulations as it may fix, require all persons using an area or any space within the lines of any street, to permit to be laid within such area or space all necessary branch pipes, both water and gas, and branch sewers to a connection with other branches, and also to be laid therein inclosed in tubes or otherwise sufficiently protected any and all electric and other wires it may at any time require laid beneath the surface of the street, and in the future no permits for the excavation or use of any area or space within the lines of a street shall be given except upon condition that it may be used by others in the manner and for the purposes above named.

SEC. 6. **May Maintain Action for Contribution Toward Expense of Sewers Draining Wet Lands.** Whenever any sewer of said city shall be extended to, or in the vicinity of any tract of wet or marshy land, either within or without the limits of said city, and the City Council shall consider that the public health of the city demands the drainage of such wet or marshy land and the extension of such sewer to or into such land and beyond the lines of the streets of the city, the City Council may by resolution thereof direct the commencement of proceedings against the owner or owners of such wet or marshy land, and thereupon said city shall have the right to maintain in the District Court of the county of Hennepin, or in any other court of competent jurisdiction, an action against such owner or owners to compel a contribution from them, to

defray the expense of extending such sewer to or into such lands, and the additional expense, if any such may be caused by the necessity of enlarging the sewers through the streets of the city from such tract of land to the outlet of such sewer. In such action the court shall have power to direct the joining of other parties to such action as defendants in such manner as it shall adjudge equitable, and shall make award of such sum or sums of contribution to the expense of such sewer as it shall deem just and in proportion to the benefit to each specific parcel of such wet or marshy land as shall be affected by such sewer, but in no case to exceed the amount of benefit it shall adjudge to accrue to each of such specific parcels by reason of such extension of such sewer. Such award shall stand as the determination of such court, and said city shall upon the completion of such work have judgment and execution for the several sums so awarded, which judgment shall be a specific lien upon each of the parcels of the land upon which such award shall be made, which lien shall have priority over every other lien or charge upon such parcel, and such judgments may be enforced only against such specific property. If upon the making of such award by said court the City Council shall consider the whole expense of such improvement above the amount of such award, to be an excessive burden on the city, it may abandon the proceedings by paying the taxable costs in such action, or it may determine to proceed with part of such work and abandon the remainder thereof, in its discretion, or it may, in its discretion, delay the performance of the work, not exceeding three years.

SEC. 7. **Board of Water Commissioners,** (as amended February 22, 1883). There is hereby established in and for the City of Minneapolis a board which shall be styled the Board of Water Commissioners of the city of Minneapolis. Said board shall consist of the Mayor of said city, who shall be ex officio a member and the President thereof, and four other members who shall be resident and qualified electors of said city, who shall be appointed by the Mayor, subject to confirmation by the City Council, at the time of appointment of other city officers in April of each year. In April, of the year 1881, the Mayor shall appoint as aforesaid, four Water Commissioners; one for the term of one year, one for the term of two years, one for the term of three years, and one for the term of four years, and thereafter at the same time in every year, the Mayor shall so appoint one Water Commissioner for the term of four years. In case of vacancy in the office of Water Commissioner from any cause, the Mayor shall in the same manner appoint a Water Commissioner for the unexpired term. No Water Commissioner shall be interested directly or indirectly in any contract entered into by said Board of Water Commissioners, and any contract entered into by said Water Commissioners in violation of this provision shall be absolutely null, void and of no effect. Each Water Commissioner shall be entitled to receive from the city an annual salary of one hundred and fifty dollars ($150.00), to be audited and paid like the salaries of Aldermen.

SEC. 8. Said Board of Water Commissioners shall have the charge of the construction, maintenance, repair and management of everything pertaining to the water works of said city, and of all new constructions, additions and alterations, whether of pump houses, mains, hydrants, or other constructions, appliances or machinery connected with said water works, and shall have the supervision and direction of the working and operation of the same; and shall, in the name of and on behalf of said city, make and execute all contracts for the construction, alteration and repair of pump houses and of all machinery and appliances connected therewith; and for the laying, relaying and constrnction of water mains and putting in of hydrants and other appliances connected therewith; and for the purchase of all material necessary to be used about said water works, and all extensions thereof, and have the charge, care and supervision of the execution of all such contracts. Said board shall also have the right to appoint the engineer of the water works, and superintendent of the water works, and employ such other persons as in the judgment of said board may be necessary for the successful operation and management of said water works, and to designate and fix the compensation of the persons so to be appointed or employed by said board, and may remove such persons at its pleasure; *Provided*, that such compensation shall not exceed the limits fixed by this act.

SEC. 9. The Superintendent of Water Works appointed by said board shall also be the Secretary of the said board, and shall give such bond to the city of Minneapolis as the said board shall direct and approve for the faithful performance of his duties and the prompt payment by him to the City Treasurer of all moneys which shall come into his hands as such superintendent. He shall keep full records of all the proceedings of said board and all contracts by it entered into, and full accounts of all moneys expended by said board, and of all moneys collected from water rents or received into the treasury from any source to the credit of the Water Works Fund. All moneys payable for water rents shall be collected and received by said Superintendent, who shall receipt therefor, and promptly pay the same over to the City Treasurer, taking his receipt therefor and reporting the same to the City Comptroller. All such moneys, together with all moneys which may accrue from any bonds issued by said city for water works purposes, and moneys which may be appropriated by the City Council for like purposes shall by the City Treasurer be kept in a separate fund called the Water Works Fund, and shall only be paid out upon orders signed by the President of said board and said Superintendent of Water Works, and countersigned by the Comptroller of said city, or in payment of bonds of said city or coupons thereof, in cases where such bonds have been or may be issued on account of, or for the construction, alteration or extension of such water works; all of which bonds and coupons may be paid from said Water Works Fund.

SEC. 10. The said board shall hold stated meetings at such times as it shall by by-law, resolution or otherwise appoint, and special meetings

thereof may be called by the President of said board upon two days' notice thereof, either served personally upon the members of said board or addressed to such members respectively and deposited in the post office in said city of Minneapolis; and any business of said board may be transacted at any stated or special meeting. The board may, in its discretion, adopt such rules to govern its deliberations and the manner of transacting its business as it shall determine upon, and three members of said board shall constitute a quorum for the transaction of business. And any special meeting of said board which may be organized when all the members of said board shall be present and participate, shall be legal, though no notice of such special meeting was given. It shall be the duty of the City Council of said city to provide and furnish with suitable desks, furniture and fixtures, a suitable room for the meeting of said board and office of said Superintendent of Water Works, either in or conveniently near the City Hall building of said city.

SEC. 11. The said board shall have the right to determine and direct as to the size and quality of all water mains which shall be laid in said city. And all petitions or propositions for laying of water mains which shall come before the City Council shall be by it referred to said board, who shall report thereon to the Council, designating the size of main to be laid, in case the laying of main shall be ordered, with such other recommendations as to the said board may seem proper. And whenever the laying of mains shall be ordered by the City Council the said board shall at once contract for, or cause the same to be laid, provided there are sufficient funds pertaining to said Water Works Fund that can be used for that purpose; and at any rate so soon as the special assessment levied upon abutting property for the laying of such main shall have been collected. All such special assessments shall, when and as fast as collected, be credited to said Water Works Fund, and said board may proceed to lay mains in advance of the collection of the special assessment therefor, whenever there shall be sufficient moneys in said fund in excess of other necessary or estimated demands thereon to enable advances to be made from such fund. But no contract negotiated by said board shall be binding upon said city until the same shall be countersigned by the Comptroller, subject to the same rules respecting the possession of funds to meet such contract as in case of other contracts entered into on behalf of said city.

SEC. 12. If it shall happen at any time, that in the judgment of said board it shall be necessary to make repairs, additions or alterations in any pump house or machinery or water main, where there shall not be sufficient moneys in said Water Works Fund to defray the cost thereof, said board shall report the facts to the City Council, who may thereupon, if said Council shall deem proper, appropriate from the general fund of said city to said Water Works Fund, sufficient moneys to ensure such repairs.

SEC. 13. All expenses of keeping up and operating said water works, and of constructing, enlarging, altering and keeping in repair pump houses, machinery, hydrants, and laying of water mains, and everything connected with said water works, shall, except so far as the cost of laying water mains be raised by special assessments upon abutting property, be paid from said Water Works Fund, and any excess of such special assessments shall belong to said Water Works Fund.

SEC. 14. It shall be the duty of said board to recommend to the City Council from time to time the rates, which in the judgment of said board, should be fixed by ordinance for the rent of water, and the provisions which, in the judgment of said board, are or will be best adapted to secure prompt payment of water rents and prevent injury to or misuse of anything connected with the water works; and it shall be the duty of said board and of the Superintendent of Water Works to see that such ordinances as shall be passed by the City Council are obeyed and enforced.

SEC. 15. The owner of private property, which property has upon it pipes connected with the city water works to convey water upon such property, shall, as well as the lessee or occupant of the premises, be liable to the city of Minneapolis for the rents or rates of all water from said water works used upon such premises; which may be recovered in an action against such owner, lessee, or occupant, or against any or all of them. The City Council may provide by ordinance the rates or rents to be paid for the use of water and the times when the same shall be payable, and for the shutting off of water from any premises where rates are payable and remain unpaid, and for the punishment of all injuries to or unauthorized interference with said water works or anything connected therewith.

CHAPTER X.

CONDEMNATION OF PRIVATE PROPERTY AND ASSESSMENTS FOR LOCAL IMPROVEMENTS.

SECTION 1. **Grounds for Public Improvements, How Located.** Whenever the City Council shall consider it necessary to procure grounds for any public grounds, engine houses, markets, or public building, or for water works, or any water power for water works, the City Council shall appoint a committee of not less than three of its members who, together with the City Engineer, shall make examination and propose to the City

Council a location and description of land suitable for such public grounds, engine houses, market or other public building, or for water works, as the case may be, and if for water works the amount of water power deemed necessary to be taken and appropriated, and the most convenient manner of taking and using the same, and present to the City Council a plat of the land proposed to be taken, and in their report shall show, so far as the committee shall deem necessary, what canals, tunnels, buildings or structures can be used in the appropriation, and any other matter which the committee shall deem proper for the information of the Council, and such committee may present for the consideration of the Council more than one location and plat.

SEC. 2. **Hearing on Report of Committee.** Such committee shall file their report with the City Clerk of said city, who shall give notice by publication twice in the official paper of said city, that such report is on file in his office for the inspection of all persons interested, and that the same will be presented to the City Council for action thereon at a meeting of said council, to be named in such notice, which shall be the regular meeting of said council which shall occur next after one week from the second publication of such notice. At the meeting named in said notice, the City Clerk shall next after the reading of minutes of previous meeting, present such report, and the matter may be acted upon by the council at the same or any subsequent meeting. The council, under such rules as it may prescribe, may hear any persons interested in the matter, or refer the matter to a committee to hear such persons and report.

SEC. 3. **Commissioners to Award Damages.** Whenever the City Council shall determine upon the lands, water power and other property to be taken and appropriated, it shall designate the same as nearly as may be convenient, and shall cause such plat or survey as may be necessary to show or explain the same, to be made and filed therewith with the City Clerk, and the City Council shall then, or afterwards, appoint five commissioners who shall be freeholders of said City, and no two of whom shall reside in the same ward, to view the lands, water power or other premises to be taken and appropriated and ascertain and award the amount of damages or compensation to be paid to the owners of the property so to be taken and appropriated.

Three or more of such commissioners shall constitute a quorum and be competent to do any act required of such commissioners. They shall be notified by the City Clerk by notice to be served on them severally, either personally or through the mail, to attend at his office on or before a day fixed by him, not less than two days after the service or mailing of such notice, to qualify and enter upon their duties; and if any commissioner shall refuse or neglect to attend as aforesaid, he shall forfeit and pay to the City of Minneapolis the sum of fifty dollars, to be recovered to the use of said city in a civil action in the Municipal Court; and in case a quorum of such commissioners shall not so attend at the time and place

designated in said notice, the Mayor or Acting Mayor of said city may, in writing, appoint one or more commissioners in the stead of any such absentees. The commissioners shall be sworn by the Clerk or any officer authorized to administer oaths, to discharge their duties as such commissioners in the matter, with fidelity and impartiality, and make due return of their action to the City Council.

They shall give notice by two publications in the official paper of said city that they will, on a day designated in such notice, which shall be at least ten days after the first publication of such notice, meet at a place designated in such notice, on or near the premises proposed to be taken and appropriated, and view the property proposed to be taken and appropriated and ascertain and award therefor compensation and damages, and that they will there and then hear such allegation and proofs as interested persons may offer. Such commissioners shall meet and view the premises pursuant to such notice, and may adjourn from time to time, and after having viewed the premises may, for the hearing of evidence and preparation of their award, adjourn or go to any other convenient place in said city, and such commissioners shall make a true and impartial appraisement and award of the compensation and damage to be paid to each person whose property is to be taken or appropriated, and report the same to the City Council, and such award shall lie over until the next regular meeting of the Council; which shall occur at least one week after the reception of such award, at which, or at any subsequent time, the City Council may act on such award and hear any objection made thereto, or may refer the matter to a committee to hear such objection and report thereon. The Council may confirm such award, or annul the same, or send the same back to the same or a new board of commissioners for further consideration, and such commissioners may in such case, again on giving notice, published once in the official paper of said city, meet at a time and place to be designated in said notice, which shall be at least two days after the publication of such notice, and hear any further evidence that may be adduced by interested persons, and may adjourn from time to time and correct any mistakes in such award, and revise and alter the same as they may deem just, and again report such award to the City Council, who may confirm or annul the same. When any such award shall be confirmed by the City Council, the same shall be final and conclusive upon all parties interested, except as hereinafter provided.

SEC. 4. **Payment of Awards.** Whenever an award of compensation and damages shall be confirmed by the City Council, and not appealed from, and whenever the same when appealed from shall not be set aside by the court, the same shall constitute a lawful and sufficient condemnation and appropriation to public use of the land and property and rights in property for which compensation or damages are so awarded, and the City Council shall thereupon cause to be paid from the Permanent Improvement Fund of said city to the owners of such property the amount awarded to each severally. In case such payment is not made within one

year after the confirmation of the award or the determination of the appeal thereupon, the proceedings shall be deemed to be abandoned.

Before payment of such award the owner of such property, or the claimant of the award shall furnish an abstract of title showing himself entitled to all of the compensation and damages claimed. In case of neglect to furnish such abstract, or there shall be any doubt as to who is entitled to such compensation or damage, or any part of the same, the amonnt so awarded shall be by the City Council appropriated and set apart in the city treasury for whoever shall be entitled thereto, and be paid over whenever any person shall show clear right to receive the same. The City Council may, in its discretion, require of such claimant a bond with good and sufficient sureties conditioned to indemnify and save the city harmless against all other claims for such compensation or damages, or for the property for which the same was awarded and all loss, costs or expenses on account of such claims.

Upon the payment of said award or appropriation, or the setting apart of the money in the city treasury to pay the same as aforesaid, the city shall become vested with the title to the property taken and condemned absolutely for all purposes for which the city may ever have occasion to use the same, and may forthwith enter upon and use the same.

This section shall apply as well to all cases of appropriation of private property for public use provided for in this chapter.

SEC. 5. **New Streets How Laid Out. Commissioners and their Duties.** Whenever the City Council shall vote to lay out or open any new street or alley, or to straighten, widen or extend any that now or may hereafter exist, which shall make it necessary to take, injure or interfere with private property, it shall determine and designate in a general way, as nearly as may be convenient, the character and extent of the proposed improvement, and thereupon it shall be the duty of the City Engineer to make and present to the council a plat and survey of such proposed improvement, showing the character, course and extent of the same and the property necessary to be taken or interfered with thereby, with the name of the owner of each parcel of such property so far as the engineer can readily ascertain the same, and such statement as may in the opinion of the engineer be proper to explain such plat and survey and the character and extent of the proposed improvement, and his estimate of the cost of such improvement, and the City Council may cause such plat and survey to be modified, amended or changed as it may deem proper, and shall estimate and fix upon the cost of making such improvement.

When such plat and survey shall be finally adopted by the City Council, it shall be filed with the City Clerk, and it shall be held to show correctly the character and extent of the improvement actually agreed upon and ordered by the City Council.

Said plat shall also show the amount of land taken from each owner, so far as the owners may be known, and the lands contiguous to or affected by such improvement.

The City Council shall then or afterwards appoint five freeholders of said city, no two of whom shall reside in the same ward, as commissioners, to view the premises and to ascertain and award the amount of damages and compensation to be paid to the owners of property which is to be taken or injured by such improvement, and to assess the amount of such damages and compensation and the expense of the improvement upon the lands and property to be benefited by such improvement, and in proportion to the benefits to be received by each parcel and without regard to a cash valuation.

Three or more of such commissioners shall constitute a quorum and be competent to perform any duty required of such commissioners; and they shall be notified of their appointment, and vacancies in their number be filled in the same manner, and they shall take the same oath and be subject to the same penalty for refusal or neglect to attend, to be collected in the same way as is provided in the case of commissioners appointed under section four of this chapter. They shall give notice by two publications in the official paper of said city that such survey and plat is on file in the office of the City Clerk for the examination of all persons interested, and that they will on a day designated in such notice, which shall be at least ten days after the first publication of such notice, meet at a place designated in said notice on or near the proposed improvement, and view the property proposed to be taken or interfered with for the purposes of such improvements, and ascertain and award therefor compensation and damages, and view the premises to be benefited by such improvement, and assess thereon in proportion to benefits, the amount necessary to pay such compensation and damage and the cost of making the improvement, and that they will then and there hear such allegations and proofs as interested persons may offer. And such commissioners shall meet and view the premises pursuant to such notice, and may adjourn from time to time, after having viewed the premises; may, for the hearing of evidence and preparation of their award and assessment, adjourn or go to any other convenient place in said city, and may have the aid and advice of the City Engineer and of any other officer of the city. After viewing the premises, and hearing the evidence offered, such commissioners shall prepare and make a true and impartial appraisment and award of the compensation and damages to be paid to each person whose property is to be taken or injured by the making of such improvement; but if the remainder of the same property, a part of which only is to be taken or damaged by such improvement shall be benefited by such improvement, then the commissioners, in considering and awarding compensation and damages, shall also consider, estimate and offset the benefits which will accrue to the same owner, in respect to the remaider of the same property, and award him only the excess of the compensation or damages over and above such benefits.

The said commissioners shall then assess the amount of such compensation and damages so awarded, together with the expense and cost of

making the improvements, upon the land and property benefited by such proposed improvements, and in proportion to such benefits, but in no case shall the amount of said assessment exceed the actual benefit to the lot or parcel of land so assessed, deducting therefrom any damages or injuries to the same parcels which are less than such benefits, and assessing only the excess, and prepare and report to the City Council their appraisement and award, and if in the judgment of said commissioners the whole amount of such compensation and damages, together with the cost of making such improvement, shall exceed the actual benefit to the specific property subject to assessment, they shall so indicate in their report, and shall state the amount of such excess. Said commissioners shall also report to the City Council an assessment list containing their assessment of such compensation, damages and cost, or so much thereof as shall not exceed the actual benefits to the property so assessed, which list shall contain a brief description of each tract or parcel of property assessed, the name or names of the owners thereof, if known, and the amount assessed, of the excess of such compensation, damage and costs as aforesaid, which they shall return unassessed.

Such report shall lie over until the next regular meeting of the Council, which shall occur at least one week after the reception thereof, at which time, or at any meeting, the City Council may act upon such report and hear any complaint touching such award or assessment, or it may refer the matter to a committee of the Council to hear such complaints and report thereon. The Council may confirm such award and assessment, or either, or annul the same, or send the same back to the same commission for further consideration; and the commissioners may in such case again, upon giving notice published once in the official paper of said city, meet at a time and place to be designated in said notice, which time shall be at least two weeks after the publication of such notice, meet and hear any further evidence that may be adduced by interested persons, and may adjourn from time to time, and may correct any mistakes in such award and assssment, and alter and revise the same as they shall deem just, and again report the same to the City Council, who may thereupon confirm or annul the same. Whenever the City Council shall confirm any such award and assessment, such confirmation shall make such award and assessment final and conclusive upon all parties interested, except as is hereinafter provided, and the City Council shall proceed, at the same or any subsequent meeting, to levy such assessment upon the several parcels of land described in the assessment list reported by the commissioners, in accordance with the assessment so confirmed, and cause to be made and adopted an assessment roll of the same, which may be in the following form, or in any other form the Council may adopt:

The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described, the respective sums of money set against each lot or parcel. This assessment is made to defray the compensation and damages awarded for

the taking of and injury to private property, and estimated cost of improvement, in and about the.....as shown on the plat and survey of the same on file in the office of the City Clerk of said city. This levy is made conformably to the report and assessment of commissioners duly appointed to make such assessment, and in proportion to benefits from such improvements to accrue to the parcels and not exceeding the benefits to the parcels so assessed.

Name of Owner if Known.	Description of Land.	Lot.	Block.	Amount.	
				Dollars.	Cents

Done at meeting of City Council, this.....day of .....A. D. 188....

Attest:..... .....

City Clerk. Pres't of the Council.

SEC. 6. **Appeals.** Any person, whose property is proposed to be taken, interfered with or assessed for benefits under any of the provisions of this chapter, and who deems that there is any irregularity in the proceedings of the Council or action of the commissioners, by reason of which the award of the commissioners ought not to be confirmed, or who is dissatisfied with the amount of damages awarded to him for the taking of or interference with his property or with the amount of the assessment for benefits to any property affected by such proceedings, may at any time before such award or assessment shall be confirmed by the City Council, file with the City Clerk, in writing, his objection to such confirmation, setting forth therein specifically the particular irregularities complained of, and containing a description of the property affected by such proceedings, and if, notwithstanding such objections, the City Council shall confirm the award or assessment, such person so objecting shall have the right to appeal from such order of confirmation of the City Council to the District Court of the county of Hennepin, at any term within ten days after such order. Such appeal shall be made by serving a written notice of such appeal upon the City Clerk of said city, which shall specify the property of the appellant affected by such award, and refer to the objection filed as aforesaid, and by also delivering to said City Clerk a bond to the City of Minneapolis, executed by the appellant, or by some one on his behalf with two sureties, who shall justify in the penal sum of fifty dollars, conditioned to pay all costs that may be awarded against the appellant. Thereupon the City Clerk shall make out and transmit to the clerk of said District Court a copy of the award of said commissioners, as confirmed by the Council, and of the order of the Council confirming the

same, and of the objection filed by the appellant as aforesaid, all certified by said City Clerk to be true copies, within ten days after the taking of such appeal. But if more than one appeal be taken from any award, it shall not be necessary that the clerk, in appeals subsequent to the first, shall send up anything except a certified copy of the appellant's objection. There shall be no pleading on such appeal, but the court shall determine in the first instance whether there was in the proceedings any such irregularity or omission of duty prejudicial to the appellant and specified in his said written objections, that as to him the award or assessment of the commissioners ought not to stand, and whether said commissioners had jurisdiction to take action in the premises.

The case may be brought on for hearing, on eight days' notice, at any general or special term of the court, and shall have precedence of other civil cases, and the judgment of the court shall be either to confirm or annul the proceedings only as the same affects the property of the appellant proposed to be taken, damaged, or assessed for benefits, and described in said written objection.

From such determination no appeal nor writ of error shall lie. In case the amount of damages awarded or assessment made for benefits is complained of by such appellant, the court shall, if the proceedings shall be confirmed in other respects, upon such confirmation, appoint three disinterested freeholders, residents of said city, commissioners to re-appraise such damages or benefits. The parties to such appeal shall be heard by said court upon the appointment of such, and the court shall fix the time and place of the meeting of such commissioners. They shall be sworn to the faithful discharge of their duties as such commissioners, and shall proceed to view the premises and to hear the parties interested, with their allegations and proofs pertinent to the question of the amount of such damages or assessments. Such commissioners shall be governed by the same provisions in respect to the method of arriving at the amount of damages and the offset thereto of benefits to other property of the same owners, and in all other material respects, as are in this chapter made for the government of commissioners appointed by said City Council. They shall, after such hearing and view of the premises, make report to said court of their appraisal of damages or assessment of benefits in respect to such appellant. The award or assessment of such commissioners shall be final unless set aside by the court for good cause shown. In case such report is set aside, the court may, in its discretion, recommit the same to the same commissioners, or appoint a new board, as it shall deem best; but no appeal or writ of error shall be allowed from any order of the court in the premises. Said court shall allow a reasonable compensation to such commissioners for their services, and make such award of costs on such appeal, including the compensations of such commissioners, as it shall deem just in the premises.

In case the court shall be of opinion that such appeal was frivolous or vexatious, it may adjudge double costs against such appellant.

SEC. 7. **Council may Abandon Proceedings.** The City Council shall have the right at any time during the pendency of any proceedings for the improvements authorized in this chapter, or at any time within thirty days after the final order of the court, on any appeal from such proceedings, to abandon all such proceedings whenever it shall deem it for the interest of the city to do so.

SEC. 8. **Assessments for Pavements, Sewers and Water Mains,** (as amended February 27, 1883). Whenever the City Council shall determine to cause to be paved, repaved or macadamized any street, lane, or alley in said city, or any gutter or gutters along any such street, lane or alley, or to lay, relay or extend any water mains or sewer pipes in or through such streets, lanes or alleys, or any portion thereof, it shall determine and designate in a general way as nearly as may be convenient, the character and extent of the improvements, and the materials to be used therein, and thereupon it shall be the duty of the City Engineer to make, and present to the City Council an estimate of the cost of such improvements, stating therein the proportion of such estimated cost which will be required to construct such improvements in front of abutting lands, which costs shall not in case of water mains exceed the cost of a six-inch pipe, and in case of sewers shall not exceed the cost of ordinary street mains in front of such abutting lands, and the proportion thereof required to construct the same across streets, lanes and alleys, and in front of lands not subject to assessment, and also the excess of cost in case of water mains and sewers over and above the cost of such six-inch pipe or ordinary sewer, also a list of the several lots and parcels of lands fronting upon such proposed improvements, with number of feet front of each extending along such improvements, and the names of the owners of the several parcels as nearly as the City Engineer can readily ascertain the same; a brief minute of the reception of such report shall be made and published in the record of the proceedings of the City Council, which shall be held to be sufficient notice to all persons concerned; and such report shall lie over without any assessment being made nntil the next regular meeting of the City Council which shall occur at least one week after the reception of such report; but the City Council, in its discretion, may direct the City Engineer to advertise for and receive in the meantime, bids for doing the work and furnishing the material required to construct and complete such improvement, and report the same to the Council at the meeting of the City Council to which such report is laid over, or at any subsequent meeting; the City Council may consider such estimate and list, and any further communications from the City Engineer respecting the matter, and under such rules as it may make shall hear all persons interested in the matter of such improvements, who may desire to be heard, and the council may adhere to its resolution of making such improvements, or may modify the character of the same, or abandon it. If the City Council shall determine to go on with such improvements, whether modified or not, it may either before or after having contracted

for the construction of such improvements, estimate and fix upon the cost of such improvements, and the proportion or amount of such cost which is required to construct such improvement not exceeding in case of sewer the cost of an ordinary street sewer when larger sewers are constructed, and in case of water mains not exceeding the cost of laying a six inch pipe where a larger pipe shall be laid opposite to or in front of the lots and parcels of land described in the list so made by said City Engineer, and may assess and levy such proportion or amount of such cost upon the same lots and parcels of land upon the basis of an equal sum per front foot of each lot or parcel, measuring along the line of such improvements; and the City Council shall cause to be made, and shall adopt an assessment roll thereof, which may be in the following, or any other form which the City Council may deem proper:

The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of.....
in the city of Minneapolis along.....and said lots and parcels of land are assessed upon the basis of an equal sum per front foot along the line of such improvement.

Name of owner if known.	Description of land.	Lot.	Block.	Amount.	
				Dollars.	Cents

Done at a meeting of the City Council this.....day of .....A. D. 18....

.....

Attest, President of the Council.

.....

City Clerk.

Provided, however, that in all cases where the second plan proposed in section three (3) and in section four (4) of chapter nine (9) hereof, for the apportionment of the cost of water mains and of sewers, be the plan adopted and followed, the City Engineer may omit from his report all estimates of cost and all apportionments thereof. In all such cases, too, when the City Council determines to go on with such improvements, it shall make the equal assessment per front foot previously determined and fixed upon without other regard to the cost of the work or to the apportionment of that cost than was had at the time when the amount to be assessed against abutting property was named and fixed, and shall adopt

an assessment roll thereof substantially like that prescribed when the other plan is followed.

SEC. 9. **Assessment of Corner Lots.** The City Council may in its discretion, in case where any lot fronting on two streets has been previously assessed and the assessment paid for laying any water main or sewer pipe upon a different street from the one through which such proposed improvement is to be extended, remit from the assessment of such corner lot such portion of such second assessment, not exceeding the amount of assessment for a frontage of sixty-six feet on such lot, as it may deem just under all the circumstances of the case, but the discretion of the City Council in such matter shall be final and the refusal or failure of said Council to make such remission shall not be a ground for setting aside such assessment in any court or proceeding.

SEC. 10. **Assessments for Building Sidewalks.** Whenever the City Council shall have ordered the construction of any sidewalk, and the owners of the land along which such sidewalk is to be built shall refuse, or for the space of two weeks neglect to construct the same according to the order of the City Coucil, the City Engineer shall report to the City Council a description of each lot or parcel of land along which such sidewalk has not been built, and his estimate of the cost of building such sidewalk along each of such lots and parcels; such estimates shall not be binding upon the City Council, but advisory merely, and the Council may obtain any other information as to such cost, and the Council shall fix upon and designate the cost of building such sidewalk inf ront of each lot and parcel of land, and thereupon the City Council shall assess and levy upon and against such lot and parcel of land so reported (after correcting mistakes, if any.) along which such sidewalk has not been built, such sum as will cover the cost of building such sidewalk along and fronting upon the same lots and parcels of land respectively, and cause to be made an assessment roll of the same, which shall be in the following form, or any other form which the City Council may adopt:

The City Council of the city of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described, the respective sums of money set against each lot or parcel. This assessment is made to defray the cost of..... a sidewalk along the..... .....side of.....from.....to..... in accordance with a resolution of the City Council, passed the..... day of.....A. D. 18...and duly published in the official paper of said city on the.....day of.....A. D. 18... The amount assessed against and levied upon each lot or parcel being the amount necessary to build such sidewalk along and fronting upon the same lot or parcel of land.

Name of Owner if known.	Description of Land.	Lot.	Block.	Amount.	
				Dollars.	Cts.

Done at a meeting of the City Council this.....day of .....A. D. 18....

.....
Attest, President of the Council.

.....
City Clerk.

SEC. 11. **Assessments for Repairing Sidewalks.** Assessments for repairs of sidewalks, may be in the following form, or any other form which the City Council may adopt:

The City Council of the city of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described, the respective sums of money set against each lot or parcel. This assessment is made to defray the cost of repairs of sidewalks fronting upon each lot or parcel, which the respective owners have neglected to make, and which have been made by the proper Street Commissioners since the..... day of.....A. D. 18... The amount assessed against and levied upon each of said lots and parcels of land, is the actual cost of the repairs of sidewalks abutting upon such lot or parcel, and so repaired by such commissioners.

Name of Owner if known.	Description of Land.	Lot.	Block.	Amount.	
				Dollars.	Cts.

Done at a meeting of the City Council, this.....day of .....A. D. 188....

.....
Attest, President of the Council.

.....
City Clerk.

SEC. 12. **Assessments for Sprinkling Streets.** Assessments for sprinkling streets may be in the following form, or any other form which the City Council may adopt:

The City Council of the City of Minneapolis doth hereby assess and levy upon and against the several lots and parcels of land below described, and the buildings and improvements thereon, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of sprinkling the streets fronting the said lots and parcels of land, from..... ..... A. D. 18.., to..... A. D. 18.., according to a contract for sprinkling..... from.....to.....for the term of.....years from.....and said lots and parcels of lands, buildings and improvements are assessed by an equal rate upon the assessed value of the lots, lands, buildings and improvements fronting on the portion of the street so sprinkled.

Name of owner if known.	Description of Land.	Lot.	Block.	Amount.	
				Dollars.	Cents

Done at a meeting of the City Council this..... day of .....A. D. 18....

....

Attest, President of the Council.

.....

City Clerk.

SEC. 13. **Proceedings when Awards are Set Aside.** Whenever any portion of any award made by commissioners and confirmed by the Council, under the provisions of sections three and five of this chapter, shall be annulled by the court upon appeal, as hereinbefore provided for, the City Council may again appoint commissioners to view the property which was affected by such appeal, and appraise and amend the compensation and damages to be paid for the taking or appropriation of the same, and the like proceedings shall be had so far as applicable, as is prescribed in said section ten, except that such commissioners shall make no new assessments of costs and expenses. They shall, however, in arriving at the compensation and damages to be awarded, take into consideration and offset any benefits which in their judgment the contemplated improvement will be to the remainder of the property, part of which may be taken or appropriated, and report their award to the City Council, whereupon the same proceedings may be had as far as applicable as upon an original award, and if such award shall again, upon appeal, be annulled by the court, still another commission may be appointed and award made in the same manner, and so on, until a valid award shall be made, but no new assessment for benefits shall be made merely by reason of

any change in the amount of the sum awarded for compensation and damages, and any sum which may be lacking to pay the awards shall be paid from the funds of the proper ward.

SEC. 14. **Re-Assessment.** If any special assessment heretofore made by the City Council, or under its direction, to defray the expense of any local improvement, has been or shall be, either in whole or in part, annulled, vacated or set aside by the judgment of any court, or if the City Council shall be satisfied that any such assessment is so irregular or defective, that the same cannot be enforced and collected, or if the City Council shall have omitted to make such assessment at or before the making of such improvement when it might have have done so, the City Council shall anew, or thereafter compute and determine upon the cost of making such improvement in a gross amount, upon such data as to it shall seem sufficient, not exceeding, in the case of water mains, the cost of laying a six inch pipe when a larger pipe was used; and the City Council may then proceed to cause a new assessment of the cost of such local improvements to be made, either on the property fronting upon such improvements, or on the property benefitted by such improvements according to the character of such improvements, following as near as may be the provisions of the city charter in force at the time of making such improvement in determining the property to be assessed and the form and manner of proceeding subsequent to the determination of the cost of the improvement, and in case such second assessment shall be annulled the City Council may proceed to make other assessments until a valid assessment shall be made, but nothing in this section shall authorize any new assessment in cases where such court shall determine that the lots or lands are not subject to assessment.

After such new assessment roll shall have been completed the City Clerk shall note thereon against any piece of land upon which a former assessment for the same improvement has been paid, the words "paid on former assessment," which shall cancel such assessment on that parcel.

SEC. 15. **How Assessment Rolls Recorded and Returned.** The City Clerk shall record all assessment rolls of special assessments in books to be by him kept for that purpose, and shall, on or before the first day of October of every year, deliver to the County Auditor of said county of Hennepin all such assessment rolls thereto delivered, and the said County Auditor shall extend the assessments in proper columns against the property assessed, and such assessment shall be collected and the payment thereof enforced with and in the like manner as State, county and other taxes are collected and the payment thereof enforced, and such assessments when collected shall be paid over by the County Treasurer to the City Treasurer of said city, together with all costs, penalties and interest collected thereon, at the time of making payment of city taxes to City Treasurer.

SEC. 16. **No Informalities to Affect Validity of Assessments.** No omission, informality or irregularity in proceedings in or preliminary to the making of any special assessment shall affect the validity of the same, where the assessment roll has been adopted by the City Council. And the assessment roll, and the record thereof kept by the City Clerk, shall be competent and sufficient evidence that the assessment was duly levied and the assessment roll duly made and adopted, and that all other proceedings antecedent to the adoption of such assessment roll were duly had, taken and performed, as required by this charter. And no failure of the City Clerk to record the assessment roll, or to deliver the same to the County Auditor on or before the time prescribed for such delivery, or to do any other act or thing of him required, shall in any way invalidate any assessment; and no variance from the directions herein contained, as to the form or manner of any of the proceedings, shall be held material, unless it be clearly shown that the party objecting was materially injured thereby.

SEC. 17. **When Collections to be Suspended.** In case any special assessment shall in any suit where its validity shall be questioned, be adjudged invalid, the City Council may, in its discretion, notify the County Auditor to cease the collection of the same, if it shall have been transmitted to him for collection, and may proceed anew by proceedings either as in case of an original special assessment for the same purpose, or by taking up the previous proceedings at any point, and may make and levy a new assessment in the place and stead of the assessment which shall have been adjudged invalid; and the City Clerk, before delivering such new assessment to the County Auditor for collection, shall ascertain and note thereon payments which have been made on such invalid assessment for the same purpose, which notation shall cancel the assessments as to the parcels and lots on which such payments were made to the extent of the payments. Such new assessments shall be collected in the same manner as original special assessments.

SEC. 18. **Excess or Deficiency of Assessment.** No special assessment shall be questioned or held to be invalid, because the amount of such special assessment shall happen to be either more or less than the amount of money actually required for the improvement for which such assessment shall be made. If the amount raised by such special assessment shall happen to be less than the amount required for such improvement, the balance shall be paid from the fund of the ward or wards wherein such improvement shall be made, except that in the case of water mains and sewers, such balance shall be paid from the permanent improvement fund; and if there shall happen to be any surplus from any such special assessment, the same shall be carried to the credit of the same fund, from which a deficiency would have been supplied or be otherwise disposed of, as to the City Council shall seem most just towards the persons upon whom such special assessment has been levied; and upon any assessment rolls or other papers made or used in any of the proceedings,

it shall not be necessary that words shall be written out in full, but abbreviations, letters, figures and recognized characters may be used whenever their use shall be convenient, and no error or mistake as to the name of the owner of any property shall be regarded as material in any proceedings under this act.

SEC. 19. **Two-thirds Vote Required for Improvements.** It shall require a two-thirds vote of the members elect of the City Council to determine, in the first instance, to make any improvement for which a special assessment may be levied, except in respect to sidewalks, when a majority vote shall suffice. But this restriction shall not apply to any subsequent act of the Council touching such improvement, or the special assessment to provide means therefor.

SEC. 20. **Improvements, how Made.** Any improvements, the means to make or construct which may be raised by special assessment, may be performed by contract let in the ordinary way, or directly by the city by the employment of labor and purchase of material, or in any other manner in which the City Council may deem proper in each particular case. And the City Council may, in its discretion, in any case, instead of causing the special assessment to be made entirely upon estimates, as hereinbefore provided for, wait until the letting of the contract for such impovement, or until such improvement shall be made, before determining and fixing upon the cost and expense of such improvement, and appointing commissioners to make the assessment.

SEC. 21. **Cost of Improvements may be Advanced.** The City Council may, at the time of ordering any improvement for which any assessment may be made, determine whether to proceed at once with such improvement or await the collection of such assessment.

SEC. 22. **Money Collected on Assessments to be Kept Separate.** In case any assessment for improvement is collected before the making of such improvement, the money so collected shall be kept separate from the funds of the city and not devoted to any other purpose than such improvement, and as soon as a majority of the assessments for such improvement are paid, the City Council shall forthwith cause such improvement to be made.

SEC. 23. **Assessments may be Paid to City Treasurer.** After any special assessment roll shall have been adopted by the City Council and before the same shall be delivered to the County Auditor for collection, any assessment thereon may be paid direct to the City Treasurer of said city; and upon the production of the City Treasurer's receipt therefor to the City Clerk, he shall enter upon such assessment roll, opposite the assessment so paid, the words "paid to City Treasurer," which entry shall cancel the assessment so paid.

In case interest shall have been included in such assessment, so much of such interest as shall not have accrued on such assessment at the time of such payment, shall be deducted therefrom.

SEC. 24. **Former Assessments not Suspended.** Nothnig herein shall interrupt or interfere with any assessments which have been heretofore made, but the collection thereof shall go on according to the provisions of the charter of said city in force at the time of making such assessments.

SEC. 25. **Assessment Liens to have Priority.** No sale under execution or other proceedings upon a judgment decree, foreclosure or lien, and no transfer or mortgage shall divest or affect the lien of any assessment for any tax or for any improvements chargeable to or assessed against the property under this charter, although the confirmation of such assessment may be subsequent to the lien of such judgment decree or other lien or to such transfer or mortgage.

CHAPTER XI.

MISCELLANEOUS PROVISIONS.

SECTION 1. **City of Minneapolis Successor of Former Cities of Minneapolis and St. Anthony.** The city of Minneapolis is hereby declared to be the legal successor of the former cities of St. Anthony and Minneapolis. All public property, except property used for educational purposes, within the limits of said city shall belong to said city of Minneapolis, and all indebtedness and obligations of the former city of St. Anthony and former city of Minneapolis and of the former divisions of the present city of Minneapolis, shall, together with all interest accrued or to accrue thereon, be assumed and paid by the city of Minneapolis.

SEC. 2. **Ordinances and Resolutions to Continue in Force.** All ordinances and resolutions heretofore made and established by the City Council of the city of St. Anthony or by the Common Council or City Council of the city of Minneapolis, and not inconsistent with the provisions of this act, shall remain in force except as altered, modified or repealed by the City Council of the city of Minneapolis; and all books and pamphlets published, or which may be published, purporting upon their title page to be published by the authority, order or direction of the City Council, and purporting to contain the ordinances of said city, standing rules and orders of said City Council, or either, are hereby declared to be competent and *prima facie* evidence of the contents of such ordinances, standing rules and orders of any resoluions or other matters purporting to be the act of said City Council, which may be found printed therein, and of the due and legal adoption, approval and publication thereof, and the certificate of the City Clerk that any printed slip of paper

to which such certificate may be attached, contains or is a true copy of any ordinance, resolution, proceeding of the City Council or other paper, the original of which is presumably in the possession of said City Clerk, shall constitute such printed slip or paper competent and *prima facie* evidence of the contents and purport of the ordinance, resolution, proceeding of the City Council or other paper, and of the legal passage, adoption, approval and publication thereof.

SEC. 3. **Compilation of Ordinances.** The City Council may from time to time provide for the compilation and publication of the ordinances of the city, and such resolutions as may be designated, and for the distribution or sale of copies of such compilation in its discretion, and may also provide for exchange of such printed compilations for similar publications of other cities.

SEC. 4. **Inhabitants of City not Disqualified in Cases where City is Party in Interest.** No person shall be an incompetent judge, justice, witness or juror, by reason of his being an inhabitant of said city, in any proceeding or action in which the city shall be a party in interest.

SEC. 5. **Charter not Repealed by State Law.** No law of the State contravening the provisions of this act shall be considered as repealing, amending or modifying the same unless such purpose be expressly set forth in such law.

SEC. 6. **Process how Served Against City.** When any suit or action shall be commenced against said city, the service thereof may be made by leaving a copy of the process by the proper officer with the Mayor, and it shall be the duty of the Mayor forthwith to inform the City Council thereof, or to take such other proceedings as by the ordinances or resolutions of said Council may have been in such case provided.

SEC. 7. **Actions to be in Name of City.** All actions brought to recover any penalty or forfeiture under this act, or the ordinances, by-laws, or police, or health regulations, made in pursuance thereof, shall be brought in the corporate name of the city.

SEC. 8. **Prosecutions how Instituted.** In all prosecutions for any violation of this act, or of any by-law, or ordinance of the city of Minneapolis, the first process shall be by warrant; Provided, That no warrant shall be necessary in any case of the arrest of any person or persons while in the act of violating any law of the State of Minnesota or ordinance of the city of Minneapolis, but the person or persons so arrested may be proceeded against, tried, convicted, punished, or discharged, in the same manner as if arrested by warrant. All processes issued by the Municipal Court for violation of any ordinance or by-laws of the said city, shall run in the name of the State of Minnesota, and shall be directed to the chief of police or any police officer of the said city.

SEC. 9. **Imprisonment when Allowed.** In all cases of imposition of penalty or fine, or the rendering of a judgment by the Municipal Court of said city, pursuant to any statute of the State of Minnesota, or

pursuant to any ordinance or by-law of the said city of Minneapolis, as a punishment for any offense or for the violation of any by-law or ordinance as aforesaid, the offender shall be forthwith committed to the city prison of said city, or if there be no city prison, to the common jail of Hennepin county, and there be imprisoned for a term not exceeding three months, in the discretion of said court, unless the said fine or penalty be sooner paid, and from the time of the arrest of any person or persons for any offense whatever, until the time of trial, the person or persons so arrested may be imprisoned in the city prison, or in case there be no such prison, in the common jail of Hennepin county.

SEC. 10. **City not Liable for Board of Prisoners in State Cases.** (As amended February 27, 1883). The City of Minneapolis shall not be liable in any case for the board or jail fees of any person who may be committed by any officer or magistrate of the city to the jail of Hennepin county under the State laws, and shall not be liable to any jailer or other officer for any fee for the committing any person to the county jail, or for the receiving any person so committed in any case where the warrant of commitment, or other process is served or executed by a public officer of the city.

SEC. 11. **No Penalty to be Remitted Without Vote of Two-thirds of City Council.** No penalty or judgment recovered in favor of said city shall be remitted or discharged, except by a vote of two-thirds of the members of the City Council; but nothing in this section shall be so construed as to prohibit the Judge of the Municipal Court from granting new trials or reversing any judgment rendered by him according to the usual procedure of courts, nor to prohibit said court from suspending execution of sentence, in its discretion.

SEC. 12. **No Public Property to be Disposed of Without Authority from City Council.** No city officer, or employe of the city, shall sell, dispose of, or convert to his own use, any city property in his charge, without special authority from the City Council.

SEC 13. **Official Paper. How Designated.** The City Council shall at its first meeting in April of each year, or as soon thereafter as may be, cause the City Clerk to advertise in the official paper of the city, for one week, for sealed proposals for publishing in some daily newspaper, which shall have been printed, published and of general circulation in said city at least six months prior to the advertising for such proposals, the ordinances, official proceedings of the Council and other matters required in the charter or the ordinances and resolutions of the city to be published in a public newspaper, such proposals to state the price per inch for the first insertion and for each additional insertion of all matter so to be published, said proposals to be marked "Proposals for Advertising," and addressed to the City Council, which proposals shall be opened at the next meeting of the Council and the contract for such publishing awarded to such daily newspaper bidding the lowest therefor, which paper shall be

declared the official paper of the city; *Provided*, that in determining which is the lowest bidder of the newspapers conforming thereto, regard may be had to the character and value thereof as a medium for advertising and for placing before the tax payers of said city the matters herein provided to be advertised. And in case any two bids are the same, the Council may by vote select one of such papers; *Provided, further*, that if each and all of said proposals fix a price exceeding thirty cents per inch for any first or additional insertion of such matters, the Council may reject all such proposals, and adopt such other method of publishing such matter as it may, in its discretion, determine; *Provided, further*, that the proprietor or proprietors of such paper shall enter into a written contract for the performance of the duties required of such proprietor or publisher, and give bond in the sum of twenty-five hundred dollars, with two satisfactory sureties, to be approved by the Council, conditioned for the faithful performance of such contract. The daily newspaper so designated shall be and remain the official paper of said city, and the contract and bond aforesaid shall remain in force, for the term designated, and until the City Council shall designate another paper as the official paper of the city.

SEC. 14. **Affidavit of Publication.** The publisher or publishers of said official paper, shall, immediately after the publication of any notice, ordinance or resolution, which by this act is required to be published, file with the clerk of the city a copy of such publication, with his or their affidavit, or the affidavit of his or their foreman, of the length of time the same has been published, and such affidavit shall be conclusive evidence of the publication of such notice, ordinance or resolution.

SEC. 15. **Proposals and Contracts for Job Printing.** The City Council shall, at its first annual meeting in each year, or as soon thereafter as practicable, cause its City Clerk to advertise in the same manner as hereinbefore prescribed in section thirteen, for sealed proposals for doing the job printing of said city; said bids to state the price per 1,000 ems for composition, the price per pound for paper and the price per token for press-work; which said bids shall be marked "Proposals for Job Printing," and addressed "To the City Council of the City of Minneapolis," and opened at its next meeting, and the contract awarded to the lowest responsible bidder. *Provided, always*, That such lowest bidder shall enter into a written contract for the performance of such job printing, with like bond and sureties as specified in section thirteen of this chapter, for the faithful performance of such contract.

SEC. 16. **Charter to be Public Law.** This City Charter shall be a public act and need not be pleaded nor proved in any case.

SEC. 17. This act shall take effect and be in force from and after its passage; but nothing herein contained shall be construed as repealing or

in anywise modifying any of the provisions of chapter three hundred and thirty-eight of the special laws of 1879, being an act to create a board of tax levy for the county of Hennepin, and define the powers and duties thereof, approved March 8, 1879.

Approved March 8, A. D. 1881.

PARK SYSTEM.

AN ACT

PROVIDING FOR THE DESIGNATION, ACQUISITION, LAYING OUT AND IMPROVEMENT OF LANDS IN THE CITY OF MINNEAPOLIS FOR A SYSTEM OF PUBLIC PARKS AND PARK WAYS, AND FOR THE CARE AND GOVERNMENT THEREOF.

Be it Enacted by the Legislature of the State of Minnesota:

SECTION 1. **Creation of Board.** That the following persons, to wit: C. M. Loring, H. T. Welles, D. Morrison, J. S. Pillsbury, O. C. Merriam, A. C. Haugan, J. C. Oswald, W. W. Eastman, George A. Brackett, Judson N. Cross, D. Bassett, and A. C. Austin, together with the Mayor, for the time being, of the city of Minneapolis, *ex officio*, and the chairman, for the time being, of the Standing Committee on Public Grounds and Buildings, and the chairman of the Standing Committeee on Roads and Bridges of the City Council of said city, *ex officio*, are hereby appointed Commissioners for the purpose specified in the title to this act, and to be accomplished in the manner and with the powers and subject to the restrictions of this act. Upon filing a written acceptance of their appointment, and an oath of office in the office of the City Clerk of the City of Minneapolis, the said Commissioners shall meet and organize by the designation of one of their number as President and one of their number as Vice-President, and shall appoint a Secretary, and shall appoint a President and Vice-President and Secretary from time to time, whenever vacancies may occur. Upon effecting the said organization, the said commissioners and their successors shall constitute a department of the city government of the city of Minneapolis, to be known and designated as

the board of Park Commissioners of the city of Minneapolis. The said board shall make rules to govern its proceedings, and may meet from time to time, as it may by rule or vote determine, and adjourn its said meetings. It shall adopt a seal, and shall make and publish from time to time rules, ordinances, and regulations for the government of its agents, servants and employes, and for the government and regulation of the parks and park ways which may be acquired under and pursuant to the provisions of this act. A majority of the members of said board shall constitute a quorum, but no action of said board, designating or purchasing or leasing lands, creating a bonded debt, or filling vacancies in the board of Park Commissioners, shall be valid unless voted for by ten (10) members of said board; and a record of its proceedings shall be kept, and the said board shall make and publish in the official paper of the city an annual report setting forth their general proceedings, and containing a statement of the receipts and expenditures of said board.

The twelve persons hereinbefore named, and their successors, shall, with the three *ex officio* members above provided for, constitute a provisional board of Park Commissioners, to hold their offices until the annual city election in the year eighteen hundred and eighty-four (1884), and until their successors shall be elected and qualified. At the annual city election, in the year eighteen hundred and eighty-four (1884), there shall be elected by general ticket twelve commissioners, four of whom shall be elected for one year, four for two years, and four for three years, who, with the three *ex officio* commissioners above designated, shall constitute the board of Park Commissioners; and thereafter four commissioners shall be elected annually, to serve for three years, and all vacancies in the office of the above twelve appointed, or of the elected commissioners, shall be filled by the remaining members of the board.

The said commissioners shall receive no compensation for their services, but may receive such sums for actual and necessary expenses incurred in performing their official duties as may be audited and allowed by the said board. The board of commissioners shall be authorized to employ and dismiss such attorneys, surveyors, agents and employes as may be necessary, and to fix the compensation of all its appointees and employes, which shall be payable from the fund hereinafter established for the purpose of this act, upon the order of said board, countersigned by the City Comptroller.

No commissioner shall be interested in any contract made under the authority of said board, or in any lands to be acquired by said board, except that if any commissioner shall be the owner of, or interested in, any lands which may be designated or appropriated for the uses of this act, he shall be entitled to receive compensation therefor as provided herein, but shall not act officially in respect to any matter in which he may be pecuniarily interested.

SEC. 2. **Powers and Duties of Board.** The board of commissioners herein appointed, and their successors, shall have power, and it shall be

its duty, to devise and adopt a system of public parks and park ways within the limits of and for the use of the city of Minneapolis, to designate the lands and grounds to be used and appropriated for such purposes, to cause the same to be surveyed, platted, and the plat thereof to be filed in the office of the City Engineer, and upon obtaining title or the right of possession to the same, or any part thereof, to take possession of, hold, govern and administer the same, and to lay out and improve the same according to such plan as the said board may adopt for such purposes.

SEC. 3. **Power and Authority to Obtain Title to Lands.** The said Board of Commissioners, and their successors, shall have power, and it is hereby authorized to obtain title for and in the name of the city of Minneapolis, to any lands so designated by it for the purpose of this act, by gift, devise, purchase or lease, and shall have power to accept and receive donations of money, property or lands, for the use of the said city for the purposes contemplated in this act.

SEC. 4. **Authority to Condemn Land and Method of Procedure** The said Board of Commissioners shall have power, and it is hereby authorized to condemn for the use of said city, any tract or tracts, parcel or parcels of land, or any interest therein, which it may have designated as hereinbefore provided in the second section of this act, and when such condemnation shall have been completed and the lands paid for as herein provided, the title to such lands shall pass and be vested in fee simple in the said city; for the purpose of making and perfecting such condemnation, the said board of commissioners shall proceed in the manner following:

(1) The board of Park Commissioners shall appoint as many appraisers as there may be wards of said city, selecting one from each ward, who shall be a disinterested freeholder, and qualified voter of said city, to view the premises and appraise the damages which may be occasioned by the taking of private property or otherwise in making said improvements; said appraisers shall be notified as soon as practicable by the Secretary of said board to attend at a time to be fixed by him, for the purpose of qualifying and entering upon their duties; and in case any such appraiser upon being so notified shall neglect or refuse to attend as aforesaid, he shall forfeit and pay a fine to said city not exceeding fifty ($50.00) dollars, and shall be liable to be prosecuted therefor before the Municipal Court of said city as in the case of fines imposed for violation of an ordinance of said city, and the appraisers in attendance shall be authorized to appoint another appraiser or appraisers in place of any absentee or absentees aforesaid, selected in each case from the ward not represented, and possessing the qualifications aforesaid.

In all other cases of vacancy the board of Park Commissioners shall fill such vacency.

(2) The appraisers shall be sworn to discharge their duty as appraisers in the matter with impartiality and fidelity; and to make due return of their acts to the board of Park Commissioners.

(3) The said appraisers shall, with all reasonable speed, give notice by publication in the official newspaper of said city for at least ten (10) days, to the effect that a plat of the lands designated by the board of Park Commissioners has been filed, and that the said appraisers will meet at a place and time designated by them, and thence proceed to view the premises, and appraise the damages for property to be taken, or which may be damaged by such improvement.

(4) At the time and place, according to said notice, the said appraisers shall view the premises and may hear any evidence or proof offered by the parties interested, and adjourn from day to day for the purpose aforesaid. When their view and hearing shall be concluded, they shall determine and appraise the amount of damages to be paid to the owner or owners of each parcel of property proposed to be taken, or which may be damaged by such improvement.

(5) If there should be any building standing, in whole or in part, upon the land to be taken the said appraisers shall in each case determine the amount of damages which should be paid to the owner or owners thereof in case such building, or so much thereof as may be necessary, should be taken, and shall also appraise and determine the amount of damages to be paid such owner or owners, in case he or they should elect to remove such building. and the damages in relation to building aforesaid shall be appraised separately from the damages in relation to the land upon which they are erected.

(6) If the lands and buildings belongs to different persons, or if the land be subject to lease, mortgage or judgment, or if there be any estate in it less than an estate in fee, the injury or damage done to such persons or interests respectively may be awarded to them by the appraisers.

(7) The said appraisers, having ascertained and appraised the damage aforesaid, shall make and file with the Secretary of said board of Park Commissioners a written report to said board of Park Commissioners of their action in the premises, embracing a schedule or appraisement of the damages in each case, with a description of the land and names of the owners, if known to them, and also a statement of the costs of the proceedings.

(8) Upon such report being filed, the Secretary of the board of Park Commissioners shall give at least ten (10) days notice by publication in the official newspaper of said city, to the effect that said appraisement has been returned, and that the same will be confirmed by the board of Park Commissioners, at a meeting thereof to be named in said notice, unless objections are made in writing by persons interested in any land required to be taken. Any persons interested in buildings standing in whole or in part upon any land required to be taken by such improvement shall, on or before the time specified in such notice, notify the said board of Park Commissioners in writing of their election to remove such building. The board of Park Commissioners, upon the day fixed for the consideration of such report, or at such subsequent meetings to which the

same may stand over or be referred, shall have power in their discretion to confirm, revise or annul the appraisement, giving due consideration to any objections interposed by parties interested.

(9) The damages appraised shall be paid out of the park fund, and shall be paid or tendered, or deposited and set apart in the treasury of said city to and for the use of the parties entitled thereto, within six (6) months from the confirmation of such appraisement and report; and the land and property required to be taken for the purposes aforesaid shall not be appropriated until the damages awarded therefor to the owner thereof shall be paid or tendered to the owner or his agent, or deposited and set apart for his use as aforesaid; and in case the said board of Park Commissioners shall be unable to determine to whom the damages in any particular case so awarded shall be paid, or in case of disputed claims in relation thereto, the damages in such case may be deposited by order of the board of Park Commissioners in the District Court of the county, in the same manner as moneys are paid into court, until the parties entitled thereto shall substantiate their claim to the same.

(10) In case any owner or owners of buildings as aforesaid shall have elected in manner aforesaid to remove his or their buildings, he or they shall so remove them within thirty (30) days from the confirmation of said report, or within such further time as the board of Park Commissioners may allow for the purpose, and shall thenceforth be entitled to payment from said park fund of the amount of damages awarded in such case. In case of removal, when such person or persons shall not have elected to remove such buildings, or shall have neglected (after having elected) to remove the same within the time prescribed, such buildings or so much thereof as may be necessary upon payment or depositing the damages awarded for such taking, in manner aforesaid, may be taken and appropriated, sold or disposed of as the said board of Park Commissioners shall direct, and the same or the proceeds thereof shall belong to the said park fund.

(11) When any known owner of lands or tenements affected by any proceeding within this act, shall be an infant, or shall labor under any legal disability, a Judge of the District Court of Hennepin county may, upon application of said commissioners, or of said board of Park Commissioners, or such party or his next friend, appoint a suitable guardian for such party, and all notices required by this act shall be served upon such guardian.

(12) Any person whose property is proposed to be taken or interfered with, under any provisions of this act, and who deems that there is any irregularities in the proceedings of the said board of Park Commissioners, or action of the appraisers, by reason of which the award of the appraisers ought not to be confirmed, or who is dissatisfied with the amount of damages awarded to him for the taking of or interference with his property, may at any time before such award shall be confirmed by the board of commissioners, file with the Secretary of said board in writing,

his objection to such confirmation, setting forth therein specifically the particular irregularties complained of, and containing a description of the property affected by such proceedings, and if, notwithstanding such objections, the said board shall confirm the award, such person so objecting shall have the right to appeal from such order of confirmation of the board to the District Court of the county of Hennepin, at any term, within ten (10) days after such order; such appeal shall be made by serving a written notice of such appeal upon the Secretary of said board, which shall specify the property of the appellant affected by such award and refer to the objection filed as aforesaid, and by also delivering to said Secretary a bond to the city of Minneapolis, executed by the appellant, or by some one on his behalf, with two (2) sureties who shall justify in the penal sum of fifty ($50.00) dollars, conditioned to pay all costs that may be awarded against the appellant. Thereupon the said Secretary shall make out and transmit to the Clerk of the said District Court a copy of the award of said commissioners, as confirmed by the board, and of the order of the board confirming the same, and of the objection filed by the appellant as aforesaid, all certified by said Secretary to be true copies, within ten (10) days after the taking of such appeal. But if more than one appeal be taken from any award it shall not be necessary that the Secretary in appeal subsequent to the first, shall send up anything except a certified copy of the appellant's objection. There shall be no pleading on such appeal, but the court shall determine in the first instance whether there was in the proceeding any such irregularity or omission of duty prejudicial to the appellant and specified in said written objections, that as to him the award or appraisement of the appraisers ought not to stand, and whether said appraisers had jurisdiction to take action in the premises. The case may be brought on for hearing in eight (8) days notice, at any general or special term of the court, and shall have precedence of other civil cases, and the judgment of the court shall be either to confirm or annul the proceedings, only as the same affects the property of the appellant proposed to be taken or damaged, and described in said written objection. From such determination no appeal nor writ of error shall lie. In case the amount of damages awarded is complained of by such appellant, the court shall, if the proceedings shall be confirmed in other respects upon such confirmation, appoint three (3) disinterested freeholders, residents of said city, appraisers, to re-appraise such damages. The parties to such appeal shall be heard by said court upon the appointment of such appraisers, and the court shall fix the time and place of meeting of such appraisers; they shall be sworn to the faithful discharge of their duties as such appraisers and shall proceed to view the premises and to hear the parties interested with their allegations and proofs pertinent to the question of the amount of such damages; such appraisers shall be governed by the same provisions in respect to the method of arriving at the amount of damages, and in all other material respects as are in this act made for the government of appraisers ap-

pointed by said board. They shall, after such hearing and view of the premises, make a report to said court of their appraisal of damages in respect to such appellant. The award of such appraisers shall be final, unless set aside by the court for good cause shown. In case such report is set aside, the court may in its discretion re-commit the same to the same appraisers or appoint new appraisers, as it shall deem best, but no appeal or writ of error shall be allowed from any order of the court, in the premises; said court shall allow a reasonable compensation to such appraisers for their services, and make such award of costs on such appeal, including the compensations of such appraisers, as it shall deem just in the premises.

In case the court shall be of opinion that such appeal was frivolous or vexatious, it may adjudge double costs against such appellant. The board of Park Commissioners shall have the right, any time during the pendency of any proceedings for the improvement authorized in this act, or at any time within thirty (30) days after the final order of the court, or any appeal from such proceedings, to abandon all such proceedings whenever it shall deem it for the interest of the city to do so.

(13) As soon as said proceedings for acquiring the title to such lands shall have been completed, it shall be the duty of said commissioners to make, or cause to be made, an accurate description of all such lands as shall have been so acquired, with a statement of the amount of damages awarded and paid to each former owner for the land so acquired, which shall be certified by the President and Secretary of said board, under the official seal of the said board, and be filed for record in the office of the Register of Deeds of said county of Hennepin, and it is hereby made the duty of said Register of Deeds to record the same among the records of transfers of real estate in said county, which records shall be *prima facie* evidence of title to such land, and of the transfer of all the interest of such former owner in the same to said city of Minneapolis. It shall also be the duty of said commissioners to file with said Register of Deeds correct plats of all such lands as they may acquire for the purposes of this act, which shall be kept on file and of record in the office of said Register of Deeds in like manner as plats of additions to the city of Minneapolis.

SEC. 5. **Appointment of Park Assessors and Assessment of Benefits.** As soon as the amount required for the purchase and condemnation of any lands selected for parks and park ways shall have been ascertained by said board of commissioners with reasonable certainty, it shall apply to a Judge of a District Court of Hennepin county for the appointment of three (3) freeholders of the city of Minneapolis as park assessors. Notice shall be given in the official newspaper, published in the said city, of the time when such application will be made, and all parties interested may appear and be heard by said judge touching said appointment.

The court after hearing such persons as shall desire to be heard touching such appointment, shall nominate and appoint three (3) assessors who

shall not be interested in any piece of land to be assessed by them for the purpose provided in this section. The board of Park Commissioners shall determine what if any percentage of the amount so ascertained shall be assessed upon the lands benefited by such parks and park ways for each of such parks and park ways. The said assessors shall proceed to assess upon such lots, blocks, tracts and parcels of land in the city of Minneapolis as they shall deem to be specially benefited by such parks, park ways and improvements, whether the said lands shall adjoin and abut upon such parks and park ways, or any of them, or not, and assessing upon each such lot, block, or tract, such sum as they shall deem a just proportion of such percentage of the cost so to be assessed and charged for benefits, and the decision of said assessors as to what lots, blocks and parcels of land are specially benefited, shall be deemed to include all the lands which are so specially benefited. In case of the purchase of lands for any such parks or park ways, or of any part thereof, it shall be competent for said board of Park Commissioners to agree with the vendor or vendors of the lands so purchased upon a price therefor which may in addition to the purchase price of such land include exemption from an assessment for benefits upon any remaining contiguous or adjacent lands owned by such vendor or vendors, and in that case such remaining lands shall be free from any liability to assessment and contribution for benefits to be assessed upon lands as in this act provided. In all such cases a record shall be made by said board specifying the lands so to be free, which shall be filed in the office of the Secretary of said board, and may be recorded in the office of the Register of Deeds of Hennepin county. Upon entering on the duties of their office the said assessors shall make oath before the Clerk of the said District Court faithfully and impartially to discharge the duties of said office. They shall give at least ten (10) days notice in one of the said daily newspapers of the time and place of their meeting for the purpose of making said assessment, and may adjourn such meeting from time to time until the same shall be completed. All parties interested may appear before said assessors, and may be heard touching any matter connected with the assessment, and the assessors shall hear and consider any pertinent testimony offered, and may administer oaths to witnesses. When the assessment shall be completed it shall be signed by the assessors, or by a majority who shall concur therein, and shall be returned to and filed in the office of the Clerk of the said District Court. The commissioners shall thereupon give at least ten (10) days notice in one (1) of the said daily papers of the filing of said assessment roll, and that they will, on a day therein named, apply to the said District Court for confirmation of the same. A copy of said notice shall be served personally or by leaving at the place of abode of each person known to be the owner or interested in any lands so assessed, at least five (5) days before the time for such application. Said District Court shall have power to revise, correct, amend, or confirm said assessment in whole or in part, and may make or order a new assessment, in whole or

in part, and the same revise and confirm upon like notice. All parties interested may appear before said District Court, either in person or by attorney, when such application shall be made, and may object to said assessment either in whole or in part, provided all objections shall be in writing, and shall be filed at least three (3) days before the time fixed for the application, and shall specify the lot, block, or parcels of land on behalf of which objection is made.

After the confirmation of said assessment, the clerk of said District Court shall file a copy thereof in his office, and such assessment shall be a lien upon the several lots, blocks or parcels of land assessed for the benefits as aforesaid. Ten (10) per cent. of the amount so ascertained shall be due and payable annually, and the Auditor of said Hennepin county shall include in the general tax lists for each year, until the whole sum shall be paid, for the collection of State and county taxes, in the said city of Minneapolis, ten (10) per cent. of the said assessments in an appropriate column, to be termed "Park Assessments," with the amount to be collected opposite the several lots, blocks, or parcels of lands, assessed as aforesaid; and like proceedings in all respects shall be had for enforcing the collections of the same, as is now provided by law for the collection of city, State and county taxes. The money collected under the provisions of this section shall be paid to the Treasurer of the city of Minneapolis, for which he and his sureties shall be responsible as fully as for any other moneys by him received as Treasurer. Provided, that if the owner of any lot, block or parcel of land so assessed for benefits, shall pay the entire amount of such assessment at any time, he shall be allowed a rebate, by way of discount, at the rate of seven (7) per cent. per annum, and upon making payment of such sum as if put at interest at seven (7) per cent. simple interest, would amount to the several sums at the time they would become due under the provisions of this section. The said land shall be free from any further assessment, or contribution for benefits, but shall be subject to its proportion of taxation for the portion of said cost raised by general tax.

SEC. 6. **Issuance of Bonds.** For the cost of acquiring a title to lands for said parks and park ways, if it shall be authorized so to do by a majority of the legal voters of the city of Minneapolis, voting in the manner hereinafter provided, the said board of Park Commissioners shall have power to borrow from time to time for such time as it shall think expedient, not exceeding fifty (50) years, a sum of money, the annual interest upon which for all the moneys so borrowed shall not exceed twenty-five thousand ($25,000) dollars, and for that purpose shall have authority to issue bonds of the city of Minneapolis, to be denominated "Park Bonds," secured upon said parks and the improvements thereon, which bonds shall issue under the seal of said board of Park Commissioners, and shall be signed by the President and Secretary of the said board and countersigned by the Comptroller of the city of Minneapolis,

and shall bear interest not exceeding four and a half (4½) per cent. per annum, provided, however, that no more than two hundred thousand ($200,000) dollars of said bonds shall be issued during the year eighteen hundred and eighty-three (1883), and in no case shall bonds be issued by said commissioners, so that the bonded debt of the city shall exceed the limit fixed by law. It shall be the duty of said board of Park Commissioners and of the City Comptroller to keep an accurate register of all bonds issued, showing the amount, number and date, of each bond, and for the payment of the principal and interest of said bonds the said park and improvements thereon shall be irrevocably pledged with a first lien thereon, and the city of Minneapolis shall be irrevocably bound; and said bonds may be sold by said board of Park Commissioners upon such terms and for such prices as in its judgment are the best which can be obtained for the same. Provided, that the sums realized by said Park Commissioners from the sale of such bonds shall be equal to or exceed a sum four and a half (4½) per cent., upon which shall equal or exceed the amount of annual interest payable on the bonds so sold.

SEC. 7. **Assessment of Tax for Payment of Interest, etc.** The said board of Park Commissioners shall annually, on or before the first day of October in each year, transmit to the Auditor of Hennepin county an estimate in writing of the amount of money necessary for the payment of interest on bonds issued by said board, and that will be required for the purchase, improvement, maintenance and government of said parks and park ways during the succeeding year, which amount shall not exceed what will be raised by a tax of one (1) mill upon each dollar of valuation of the taxable property in said city, and the said Auditor shall proceed to determine what per cent. said sum is on the taxable property of said city according to the Assessor's returns, and shall, in the next general tax list for the collection of city, state and county taxes in said city, set down the amount chargeable to the several persons, corporations, lots, or parcels of ground, in a separate or appropriate column, and the proper officers shall proceed to collect the same in the manner now provided by law for the collection of city, state and county taxes, and all the provisions of law in respect to the collection of city, state and county taxes, and proceedings to enforce the same so far as applicable shall apply to said assessments and taxes; the said sum of money, together with all other moneys provided for the purpose of this act, shall be placed by the Treasurer of the city of Minneapolis to the credit of said board of Park Commissioners, and shall be drawn by said board from the City Treasurer by warrant signed by the president and secretary of the board, and countersigned by the City Comptroller, and in no other way, and shall constitute a special fund to be known and denominated the "City Park Fund."

SEC. 8. **Vacation and Closing of Streets.** It shall be lawful for said board of commissioners to vacate and close up any and all public roads and highways, excepting railroads which may pass through, divide

or separate any lands selected or appropriated by it for the purpose of parks, and no such road, highway or railroad shall be laid out through said parks or any of them except as the said board of commissioners shall lay out and construct or shall consent thereto.

SEC. 9. **Construction of Bridges and Viaducts.** The said board shall have power to construct all necessary bridges and viaducts over water courses and railroads within or on the line of said parks and park ways.

SEC. 10. **Removal from Office for Malfeasance.** The said commissioners, or either of them, may be removed from office by the District Court of said county, after trial and conviction, upon the petition, with sworn charges, presented by not less than ten (10) reputable freeholders of said city, if it shall appear at said trial that the said commissioner, or commissioners, have been guilty of misdemeanor or malfeasance in office under this act.

SEC. 11. **Removal from Office for Non-Attendance at Meetings.** The office of any commissioner under this act who shall not attend meetings of the board for three successive months, after having been duly notified of said meetings, without reasons satisfactory to the board, or without leave of absence from said board, may by said board be delared, and thereupon shall become, vacant.

SEC. 12 **Expenditure of Money Received for Benefits.** The funds which may be received for and upon the special assessments of benefits herein provided for shall be paid into the City Treasury as a part of the park funds, one-half of which benefit money shall be expended in the improvement of the park, or parks, on account of the benefits of which such money was assessed.

SEC. 13. **Lands Acquired Subject to Lien for Bonds Issued.** The lands which may be designated and obtained under the provisions of this act shall remain forever for parks and park ways for the use of all the inhabitants of the said city, subject to such rules and regulations as the board of Park Commissioners shall prescribe, said parks being subject to the lien of the bonds which may be issued for their purchase, which lien, in case of non-payment of said bonds at the maturity thereof, may be enforced by sales pursuant to any decree of a court of competent jurisdiction.

SEC. 14. **Jurisdiction not to Extend to Police Control of Lands Acquired.** The power and jurisdiction of the board of Park Commissioners shall not extend to the police control within the parks or park-ways, except that the said board shall have authority to adopt any ordinance affecting the quiet, orderly and suitable use and enjoyment of said grounds by the people of the city of Minneapolis, and to fix and ordain penalties for the violation thereof, and the police control over said grounds shall be and remain where it is, or may be, vested by the charter of said city.

SEC. 15. **Submission to People.** The board of commissioners appointed by this act, or their successors, shall take no proceedings for the condemnation or purchase of lands, or the issue or sale of bonds, until the provisions of this act shall have been accepted by the legal voters of the city of Minneapolis at the annual city election in said city, to be held on the first Tuesday in April, one thousand eight hundred and eighty-three (1883), the legal voters of said city shall vote upon the acceptance of said provision, "Park system, yes," or "Park system, no," which said votes shall be cast, canvassed and certified in the manner now provided by law, or ordinance, for casting, canvassing and certifying votes at a city election. If a majority of the legal voters voting thereon shall vote "Park system, yes," then the said board of commissioners shall proceed to exercise all the power granted in this act. If the majority of such voters voting thereon shall vote "Park system, no," the said board of commissioners shall exercise none of the powers specified in this section.

SEC. 16. All acts and parts of acts, whether in the charter of the city of Minneapolis or elsewhere, inconsistent with any of the provisions of this act, are hereby repealed.

SEC. 17. This act shall take effect and be in force from and after its passage.

Approved February 27th, A. D., 1883.

AN ACT

To Establish a Municipal Court in the City of Minneapolis.

APPROVED FEBRUARY THIRTEENTH, ONE THOUSAND EIGHT HUNDRED AND SEVENTY-FOUR (1874), AS AMENDED BY SUBSEQUENT ACTS, INCLUDING ACT APPROVED MARCH 3, 1883.

[PRINTED AND PUBLISHED BY AUTHORITY OF THE CITY COUNCIL OF CITY OF MINNEAPOLIS.]

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. There shall be established in the city of Minneapolis, in the county of Hennepin, a Municipal Court for the transaction of all business which may lawfully come before it. Said court shall be a court of record, and shall have a clerk and a seal, and shall have jurisdiction to hear, try and determine civil actions at law, where the amount in controversy does not exceed the sum of five hundred dollars, excepting causes involving title to real estate. It shall also have exclusive jurisdiction to hear all complaints and conduct all examinations and trials in criminal cases arising or triable within the city of Minneapolis, heretofore cognizable before a justice of the peace, and also concurrent jurisdiction with the District Court in all cases arising under chapter seventeen, general statutes of one thousand eight hundred and seventy-eight. It shall not have jurisdiction of actions for divorce, nor of any action where the relief asked for in the complaint is purely equitable in its nature. Where no provision is otherwise made in this act, said Municipal Court is vested with all the powers which are possessed by the District Courts of the State, and all laws of a general nature apply to said Municipal Court, so far as the same can be made applicable and not inconsistent with the provisions of this act.

Municipal Court.

Jurisdiction.

No jurisdiction—when.

Laws of general nature apply.

Election of Municipal Judge.

SEC. 2. The qualified electors of the city of Minneapolis shall, at the general city election to be holden on the first Tuesday in April, in the year 1883, and on the day of the general city election every fourth year thereafter, elect a suitable person with the qualifications hereinafter mentioned, to the office of Judge of said Municipal Court, to be called "Municipal Judge," who shall hold his office for the term of four years and until his successor shall be elected and qualified. In case of any vacancy in the office of Municipal Judge, the Governor of the State of Minnesota shall appoint some qualified person to said office until the next annual city election, when a Judge shall be elected for a full term of four years.

Term of office.

Vacancy—how filled.

Qualifications of Judge.

SEC. 3. The Judge of the Municipal Court shall be a resident of the city of Minneapolis, a person learned in the law, and duly admitted to practice as an attorney in the courts of this State. Before entering upon the duties of his office he shall take and subscribe an oath, as prescribed in the general statutes for judicial officers, which oath shall be filed in the office of the city clerk of said city. He shall have the general powers of the judges of courts of record, and may administer oaths, take and certify acknowledgments in all cases, and as a conservator of the peace shall have all power and authority which is, or may hereafter be, vested in justices of the peace, or any other judicial officer. There shall be one Special Judge of said Municipal Court whose manner of election, term of office, powers, duties and qualifications shall be the same as those of Municipal Judge, except as otherwise provided in this act, and his successor shall be elected and vacancies in his office filled in like manner. In case of a press of business requiring the attendance of two judges at one time in said court, at the request of the Municipal Judge, with the approval of the Mayor or acting Mayor of said city, or in case of the absence or sickness of the Municipal Judge, at the request of the Mayor, or acting Mayor of said city, the said Special Judge shall act as Judge of said court, and when the Special Judge so acts as Judge of said court, the said Special Judge and the Municipal Judge may each have and exercise the powers of the said court and may sit in the trial and examination of cases at the same time. The said Special Judge shall not act on the trial or examination of any case,

Powers of Judge

Special Judge—Election of, and duties.

When Special Judge to act.

except as above provided, and such Special Judge so acting as Judge of said court shall receive compensation from the city at the rate of eight dollars per day. This section shall not incapacitate such Special Judge from acting as attorney in any case in said court, but when such Judge is acting as Judge of said Court, he shall take no action in such case save to adjourn the same.

Compensation of Special Judge.

May act as attorney.

SEC. 4. There shall be a clerk of said Municipal Court, who shall be appointed by the Judge of said court, with the advice and consent of the city council of the city of Minneapolis, and the Judge shall have power to remove said clerk at pleasure, or he may be removed by a two-thirds vote of the whole number of aldermen elected to the city council. Such clerk, before he enters upon the duties of his office, shall take and subscribe an oath to support the constitution of the United States and of the State of Minnesota, and to faithfully and honestly discharge and perform the duties of his office, and shall execute to the city of Minneapolis a penal bond, in such sum, and with such sureties as the city council shall direct and approve, conditioned that he will account to and pay over to the Treasurer of said city, on the first Monday of every month, all fines, penalties, fees and other moneys belonging to or to go to said city, which may have come into his hands during the month next preceding, and that he will at all times pay over to all other persons, on demand, all moneys to which they may be entitled, which may have come into his hands in virtue or by reason of his office, and that at the end of his term of office he will forthwith pay over to the city of Minneapolis all moneys to which said city shall then be entitled, and to his successor in office all other moneys then remaining in his hands, and which shall have come into his hands in virtue or by reason of his office. Such oath and bond shall be filed in the office of the city clerk of said city.

Clerk—How appointed or removed.

Oath of Clerk—Bond and conditions.

Fines, fees, etc., to be paid to city.

Disposition of money at end of term.

SEC. 5. The Municipal Court shall have full power and authority to issue all process, civil and criminal, necessary or proper to carry into effect the jurisdiction given to it by law, and its judgments and other determinations. And it shall have and possess all the powers usually possessed by courts of record at common law, subject to modifications of the statutes of this State applicable to courts of record, except

Authority to issue process

Not to issue writs of habeas corpus, etc.

that it shall not have jurisdiction to issue writs of habeas corpus, quo warranto, ne exeat, mandamus, prohibition or injunction. All process shall be tested in the name of the Judge, and issued under the seal of the court and signed by the clerk, who shall be styled "Clerk of the Municipal Court."

Forms of process.

And the forms of process may be prescribed by the court by rule or otherwise, and any form so prescribed shall be valid and sufficient, and such forms may be changed by the court from time to time. In the absence of such prescribed forms, the forms of process in use either in courts of record in this State, or by justices of the peace, may be changed and adapted to the style of the court and used at the discretion of the court or clerk. Process may be directed for service "To any Police Officer of the city of Minneapolis, or to the Sheriff, or any constable of said county."

Process—How directed.

Court—Where to be held.

SEC. 6. The Municipal Court shall be held in the city of Minneapolis at some suitable place to be provided therefor by the city council. Its judge shall be the chief magistrate of the city, and shall see that the criminal laws of the State, and the ordinances, laws, regulations and by-laws of said city are observed and executed, and for that purpose shall open his court every morning (Sundays and legal holidays excepted) and proceed to hear and dispose of, in a summary manner, all cases which shall be brought before him by the police officers of the city or otherwise, either with or without process, for violations of the criminal laws of this State, committed within the county of Hennepin, or of the ordinances, laws, regulations, or by-laws of said city. The clerk of the court shall keep a record of all proceedings and enter all orders, judgments and sentences under the supervision of the Judge, and issue commitments and executions as well as other process.

Court—To be opened every morning.

Criminal causes—To be heard and disposed of.

Record of proceedings.

Clerk to be custodian of records.

SEC. 7. The clerk of the Municipal Court shall have the custody and care of all the books, papers and records of said court. He shall be present at all trials, unless absent from sickness, or with the consent of the Judge, and in case of his absence the Judge may appoint some person temporarily in his place. He may swear all witnesses and jurors, and administer all oaths and affirmations, and take acknowledgments. He shall keep minutes of all proceedings, and enter all judgments, and make up and keep the records of the court, under the direction of the Judge. He shall tax all costs and

General duties of Clerk.

disbursements allowed in any action, subject to review by the Judge, and do all other things and acts necessary or proper to the enforcing and carrying out of the jurisdiction of the Municipal Court. He shall receive all fines, penalties and fees of every kind accruing to the court, or any officer thereof, including police officers, and including also witness fees in criminal cases, and keep full, accurate and detailed accounts of the same, and shall on the first Monday of every month, deliver over to the City Treasurer of the city of Minneapolis all moneys so received or proper vouchers therefor, as herein provided, with detailed accounts thereof, and take his receipt therefor. The clerk of the said Municipal Court shall also make detailed monthly reports of all persons who are committed to the county jail of the county of Hennepin under sentence of said Municipal Court, and of all who are committed in default of bail to await the action of the grand jury, which reports as to all persons convicted of an offense under the State laws, and as to all committed in default of bail, shall be made to the County Auditor of Hennepin county, and as to all persons convicted of an offense under the ordinances of said city shall be made to the City Comptroller of said city, and shall in each case be made on the first day of each month or on the second if the first day comes on Sunday or on a legal holiday, and shall show the name of every person committed during the previous month and since the last report, the nature and cause of the commitment, the length of time for which committed, the offense for which committed, the date of commitment in each case, and whether committed by virtue of a prosecution under the State laws or under the ordinances of said city, and shall also show the names of all persons discharged from said jail since the last report by order of said Municipal Court, the cause of such discharge and the date thereof. In all cases where the judge of said Municipal Court remits a fine or suspends a sentence after commitment to the county jail, and in all cases where a person committed to said jail secures his release by the payment of a fine in default of which he was committed, the person imprisoned shall not be released except upon the order of said Municipal Court and the presentation to the sheriff of said county or to the jailor a written transcript of said order, authenticated by the clerk of said court under its seal, which transcript in the case of a

Clerk to receive fines, etc.

Monthly reports of Clerk.

Reports of commitments.

To whom made, when and how.

Discharges from jail—when and why

Release of prisoners—Transcript of order for.

payment of a fine shall not be issued or given until the actual payment to the clerk of said Municipal Court of the amount of the fine so paid. The sheriff of said county shall be held strictly accountable as for a breach of official duty if in any of the cases above named a prisoner be released without the presentation of the written evidence above required. The clerk of said court may when authorized so to do by the city council of the city of Minneapolis, if in their discretion they deem the appointment necessary, with the sanction of the judge of said court, appoint a deputy clerk of said Municipal Court, for whose acts the said clerk of said court shall be responsible, and said deputy shall be appointed under the hand of said clerk and seal of said court, with the sanction of said judge, endorsed on the back of such appointment, and before any deputy clerk of said court shall enter upon the duties of his office he shall take and subscribe the same oath prescribed and required to be taken by the clerk of said court, and execute a bond to be approved by said clerk, which oath, together with the appointment of such deputy clerk and such bond shall be filed in the office of the city clerk of said city of Minneapolis, and the clerk of said court or the judge thereof may at any time remove any deputy appointed under the provisions of this act. The deputy clerk appointed under the provisions of this act shall receive a salary of one thousand dollars per year, payable from the City Treasury of said city of Minneapolis, in monthly installments. The said clerk of the Municipal Court and said deputy clerk shall not act as an attorney in any case in said court. The deputy appointed under the provisions of this act may administer oaths, take acknowledgments and perform all the duties pertaining to the office of clerk of said Municipal Court.

Sheriff—Not to release prisoner, when.

Deputy Clerk.

Oath and bond of Deputy Clerk.

Salary of Deputy Clerk.

Clerk or Deputy not to act as attorney

Sec. 8. The Municipal Court shall hold regular terms for the trial of civil actions, on the first and third Tuesday of every month, which terms shall continue from day to day with such adjournments as to the court may seem proper until the business of each term shall be finished, and the court may by rule or order appoint such terms to be held oftener or upon other days than the days above mentioned. All civil actions for the recovery of money only shall be commenced by summons, to be issued as in the District Courts of the State, or

Terms of Court for civil actions.

Civil actions—How commenced.

by writ of attachment to be issued by the clerk. The manner of service of summons, pleadings, notices and appearances of parties, shall be the same as that required by law in the District Courts of the State, and the provisions of title five, of chapter sixty-six, general statutes of one thousand eight hundred and seventy-eight, so far as the same may be applicable, subject to such modifications as the court may by rule establish, shall apply to said Municipal Court. No police officer of said city shall serve or attempt to serve any summons, process or paper in any civil action in said court unless the complaint in such action shall have been previously filed with the clerk of said court, and in any case wherein such complaint is so filed, the said clerk shall when requested so to do, note or endorse the fact of such filing upon the back of said summons or process, and whenever any such summons, process or paper in any civil action shall have been delivered to any police officer for service, he shall as soon as practicable thereafter make proper return to said clerk, whether said summons, process or paper shall have been served or not, and, if not served, the reason therefor. The pleadings in civil actions in said court shall be the same as in the District Courts of the State, subject to such modifications as the court may by rule prescribe. And the court may, for good cause, in its discretion, and on such terms as it may deem equitable, open any default at the same term at which it occurred or within the term next following thereafter, or allow any amendment of any pleading at any time, and shall disregard variances between the allegations of a pleading and the evidence, unless satisfied that the adverse party is prejudiced thereby. Said court shall also have the authority to provide, by rule, that the plaintiff in any civil action shall, by bond, recognizance or deposit of money with the clerk, give security for costs in such sum as the court may designate, by such rule, before any summons or other process shall issue in the action. Costs are allowed to the prevailing party in actions commenced in said Municipal Court as follows: to the plaintiff upon a judgment in his favor of one hundred dollars or more, or in actions of replevin when the value of the property is one hundred dollars or more, when no issue of fact or law is joined, five dollars; when an issue is joined, ten dollars. To the defendant, when the amount claimed in the complaint is one hundred dollars

Manner of service of summons, etc.

Police officer—Not to serve civil process, when.

Complaint—When to be filed.

Police officers—Return of service.

Pleadings—Opening of defaults.

Security for costs—Rule relative to.

Costs in civil actions.

Defendant's costs.

or more, upon discontinuance or dismissal, five dollars; when judgment is rendered in his favor on the merits, ten dollars.

Costs and disbursements—How taxed.

Costs and disbursements shall be taxed and allowed in the first instance, by the clerk, upon two days' notice by either party, and inserted in the entry of judgment. The disbursements shall be stated in detail and verified by affidavit, which shall be filed. The party objecting to any item shall specify in writing the ground of objection, and the same in case of

Appeal from taxation.

appeal shall be certified to the court by the clerk, and the appeal shall be heard and determined upon the objections so certified, and none other.

Process by attachment.

SEC. 9. Any creditor desiring to proceed by attachment in said court, may, at the time of commencing the action, or thereafter, and while said action is still pending, by himself, his agent or attorney, make and file with the clerk an affidavit similar to the affidavit required by law in an application for a writ of attachment in the District Courts of the State or

Affidavit and bond.

in justices' courts, and also cause to be filed a bond with sufficient surety to be approved by the judge, and similar to the bond required on a like application in the District Courts of

Limit of liability.

the State or in justice's court, except that the limit of liability thereon shall be mentioned therein as "not exceeding the sum of two hundred and fifty dollars." The writ of attachment may be in form as follows:

Form of writ.

State of Minnesota, } ss. City of Minneapolis,
County of Hennepin. } Municipal Court.

The State of Minnesota, to any police officer of the city of Minneapolis, or to the sheriff or any constable of said county:

You are hereby commanded to attach the goods, chattels, moneys, effects and credits of.....or so much thereof as shall be sufficient to satisfy the sum of..... with interest and costs of suit in whosesoever hands or possession the same may be found in said County of Hennepin, and so provide that the same may be subject to further proceedings as the law requires and make due return of this writ.

Witness the Honorable.....Municipal Judge, this.....day of.....A. D. 188 .

.....

[L. S.] *Clerk of the Municipal Court.*

Service of writ and proceedings thereon.

Or the writ may be in any other form that the Court may by rule prescribe. In all other respects the service of the writ and other proceedings thereon shall be similar as near as may

be to the service of such writ and proceedings in the District Courts of the State or in justice's courts.

Replevin—Complaint and affidavit to be filed.

SEC. 10. When the object of an action is to recover the possession of personal property, the plaintiff, his agent or attorney, shall make and file his complaint, in writing, together with an affidavit, similar to the affidavit required in the district courts of the State or in a justice's court in a like action. The plaintiff, or some person on his behalf, shall execute a bond, with sureties, to be approved by the Judge, conditioned similar to bonds in such actions in the District Courts of the State or in justices' courts, and file such bond. And an action may be maintained on such bond, as upon similar bonds filed in like actions in the District Courts of the State or in justices' courts. The clerk shall thereupon issue the writ, which may be in form as follows:

Bond and approval thereof.

State of Minnesota, } ss. City of Minneapolis.
County of Hennepin. } Municipal Court.

Form of writ.

The State of Minnesota, to any police officer of the city of Minneapolis, or to the sheriff or any constable of said county:

Whereas .....complains that..... has become possessed of, and unjustly detains from..... the said..... .....the following described goods and chattels, that is to say: [Particularly describing the articles and the value.] Therefore, you are hereby commanded that you cause the same goods and chattels to be replevied, without delay, and delivered to said.....and to summon the said.....if he be found within said county, to be and appear before the Municipal Court of the city of Minneapolis, at a term thereof to be holden on .....the.....day.....A. D. 188 , at the opening of the Court, and answer to..... whose complaint is on file in said Court, in a civil action; and have you then and there this writ.

Witness the Honorable..... ..Municipal Judge, this.....day of.....A. D. 188 .

....

[L. S.] *Clerk of the Municipal Court.*

Service of writ and proceedings thereunder.

Or the writ may be in any other form that the court may by rule prescribe. The writ shall be served, and all proceedings thereunder had, in the same manner (except as to times and forms of pleading and trial) as upon similar proceedings in the District Courts of the State or in a justice's court. But the officer executing the writ shall retain the property taken under it in his own custody for three days before delivering

Delivery of property

Re-delivery of property.

the same to the plaintiff, and if, within that time the defendant, or some one in his behalf, shall execute to the plaintiff a sufficient bond, with two or more sureties, to be approved by the judge, conditioned as in like cases in the District Court, and file such bond, the clerk shall thereupon issue an order to the officer to redeliver such property to the defendant.

Notices of trial and notes of issue.

SEC. 11. Notices of trial shall be served and notes of issue filed as in the District Courts of the State, subject to such modifications as the court may by rule prescribe. The clerk of the court shall, prior to each term of the court, make up a

Calendar of causes and order of trial.

calendar of causes which will come up for trial, or for any disposition, before the court at such term, adopting such arrangement as the judge may direct; and the court shall direct the order of the trial, and other disposition of causes.

Trial by jury.

SEC. 12. Trial by jury in the Municipal Court shall in all respects be conducted as in the District Courts of said State, and all laws of a general nature applicable to jury trials in said District Courts shall apply to said Municipal Court. Jurors for said Municipal Court shall be provided and drawn however in the following manner, to wit: The

Mayor, City Clerk and Judge to make a list.

Mayor or President of the City Council of the city of Minneapolis, the City Clerk and presiding Judge of said Municipal Court, shall on the second Monday of February, May, August and November in each year at the office of the city clerk of said city meet, and from the legal voters of said city

Jurymen—To serve for three months.

select and designate sixty-four legal voters of said city as the jurors of said Municipal Court, to serve therein when required and drawn, during the succeeding three months and until their successors are elected and certified, and shall thereupon certify said names so elected to the clerk of said Municipal Court, who shall thereupon write said names upon separate

Clerk to draw twenty jurors.

ballots and place the same in a wheel or box, and whenever a jury is required in said court, shall thereupon by lot draw twenty ballots, the persons named upon which shall, if practicable, be summoned to attend the trial of the cause wherein they were drawn, and the first twelve so summoned and attending shall constitute the jury

First twelve to act, when.

unless some of said jurors shall be challenged or excused, in which case the clerk shall consecutively call the remaining jurors so summoned and attending until the panel so drawn shall be exhausted. No talesman shall be

summoned or sit in any cause in said court. And the first and second series of twenty ballots each so drawn, shall not be returned to said box or wheel, until the third series shall have been drawn from said box. The persons selected to serve as aforesaid shall not again be eligible during the year in which they may have been selected. Jurors so summoned and attending as aforesaid in said Municipal Court, and duly sworn as such in the trial of any action shall be entitled to like compensation as jurors in the District Court of Hennepin county and shall be paid in the same manner, and the party demanding a jury in any civil action shall be required to advance and pay to the clerk of said court, on the day when such action is set for trial, a jury fee of three dollars.

Three series of ballots.

Compensation of jurors.

Jury fee—To be paid to Clerk.

SEC. 13. Title eighteen of chapter sixty-six of the General Statutes, relative to "Trial by Referees," Title nineteen of the same chapter relative to "Exceptions," and title twenty of the same chapter relative to "New Trials," shall apply to said Municipal Court. And section four of chapter twenty-seven of the General Statutes relative to reporter of the Supreme Court and the distribution of the Supreme Court reports shall apply to the Judge of said Municipal Court. And all causes may be removed from the said Municipal Court to the Supreme Court of the State of Minnesota, in the same manner and upon like proceedings, and with like effect, as from the District Courts. And said Municipal Court shall have jurisdiction of actions of Forcible Entries and Unlawful Detainers, and may fix return days for such actions on other than the regular return days of said court, and chapter eighty-four of the general statutes, relative to Forcible Entries and Unlawful Detainers shall apply to said Municipal Court.

Trial by Referees.

Exceptions and New Trials.

Causes removed to Supreme Court.

Unlawful Detainers.

Special return days.

SEC. 14. No judgment rendered in said Municipal Court shall attach as a lien upon real estate until a transcript thereof shall be filed in the District Court, as hereinafter provided. But writs of execution thereon, in civil actions, may issue against the goods and chattels of the judgment debtor, returnable within thirty days, as in justices' courts. Every person in whose favor a judgment is rendered in said Municipal Court, for an amount exceeding ten dollars, besides costs, may, upon paying the fee therefor, and all unpaid fees payable to the clerk in such action, demand, and shall receive

Judgments not a lien on real estate, when.

Executions.

Transcript of judgment.

from such clerk, a transcript of such judgment, duly certified, and may file the same in the office of the clerk of the District Court of said Hennepin county, who shall file and docket the same, as in the case of transcripts of judgments from courts of justices of the peace. And every such judgment shall become a lien on the real estate of the debtor, from the filing of such transcript, to the same extent as a judgment of the said District Court, and shall thereafter be exclusively under the control of said District Court, and carried into execution by its process as if rendered in said District Court. The clerk of said Municipal Court shall not issue such transcript while a writ of execution is outstanding in the hands of an officer or otherwise, and shall note on the record of such judgment the fact that such transcript has been given; and shall not thereafter issue any writ of execution on the same judgment, but may at any time give to the same party, or his representatives, a new transcript of such judgment, in case of the loss of the transcript first given.

Judgment a lien on real estate, when.

Transcript not to issue, when.

Execution not to issue, when

Garnishee proceedings.

Sec. 15. Proceedings against garnishees may be instituted in the same manner as in the District Courts of the State, or in justices' courts, but the summons may be served either by an officer or any indifferent person, at any place within the State of Minnesota, and the summons may be made returnable at any term of said Municipal Court which may be named therein, and the notice required to be served on the defendant in the action, may be signed either by the clerk of said court, or the person who served the garnishee summons, or by the plaintiff or his attorney. The disclosure of the garnishee may be taken and all further proceedings had in same manner as if the proceedings were in the District Court.

Summons, how served and returnable.

Disclosure of garnishee, how.

Complaints in criminal cases.

Sec. 16. Complaints in criminal cases, where the defendant is not in custody, may be made to the court when in session, or to the judge or clerk when not in session, and shall be made in writing, or reduced to writing by the judge or clerk, and sworn to by the complainant, whether the offense charged be a violation of the criminal laws of the State, or of the ordinances, regulations or by-laws of said city. And the clerk, as well as the judge, is hereby made a conservator of the peace, and vested with the same authority, discretion and power to act in receiving complaints and issuing the warrants of said court in criminal cases. And complaints,

Clerk a conservator of the peace.

warrants, and other process in criminal cases, may follow substantially the same forms heretofore in use by justices of the peace, with such alterations as may seem convenient to adapt the same to the style of said Municipal Court; or may be in such other form as the court may prescribe, sanction or approve. In cases where alleged offenders shall be in custody, and brought before the court, or the clerk, without process, the clerk shall enter upon the records of the court a brief statement of the offense with which the defendant is charged, which shall shall stand in place of a complaint, unless the court shall direct a formal complaint to be made. The plea of the defendant shall be guilty or not guilty. In case of a failure to plead, the clerk shall enter a plea of not guilty, and a former acquittal or conviction for the same offense may be proved under that plea as well as if formally pleaded. In the examination of offenders charged with indictable offenses, the clerk shall keep such minutes of the examination as the court may direct, and shall make the proper return to the court before which the party charged with the offense may be bound to appear. In cases where the offense charged is bastardy, proceedings shall be as near as may be substantially as provided in chapter seventeen, general statutes of one thousand eight hundred and seventy-four, except that said Municipal Court may do any and all acts therein provided to be done by the District Court, and that the bonds to be given under sections three and seven of said chapter seventeen, shall be to the city of Minneapolis, for the benefit of the city or town which is or may be liable for the maintenance of the child born or that may be born.

Forms of complaints.

Statement on records to stand as complaint.

Plea of defendant.

Examinations on indictable offenses.

Proceedings in bastardy cases

Bonds in bastardy cases

SEC. 17. The judge of said court shall receive a salary of twenty-five hundred dollars per year, and the clerk of said court a salary of eighteen hundred dollars per year, payable from the city treasury of said city of Minneapolis, in quarterly installments; and neither the said judge nor clerk shall receive any other fee or compensation for his services. But in all proceedings had in said Municipal Court, like fees shall be charged and collected by the clerk, as costs, as are allowed by law to the clerk of the District Court of Hennepin county, or to justices of the peace in proceedings and upon trials before them, or for similar services. It shall be the duty of the Chief of Police of said city of Minneapolis to serve, or

Salaries of Judge and Clerk.

Fees—To be charged and collected by Clerk.

Police officers—To serve process.

cause to be served forthwith, and it shall be the duty of the police officers of said city to serve all processes issued by said court, except as otherwise provided in this act, and process shall not be given for service to any sheriff or constable, except in cases of necessity where the services of a police officer cannot readily be obtained; but this clause is directory and shall not affect the validity of service made by any officer. Police officers in making service of any process or doing other duty in respect to causes in said court, shall note and return to the court for collection such fees for such services as are allowed to constables for the like services in justice's court. And all fees, whether so charged by the clerk or by any police officer shall be collected by the clerk as costs, and by him be accounted for and paid over to the city treasurer of said city, as hereinbefore provided for. The clerk shall pay witnesses in criminal actions the fees to which they may be entitled, when no other provision shall be made by law for such payment, taking receipts therefor in such form as the court may direct, which receipts shall be sufficient vouchers for the payment of the sums therein named, which said sums shall be noted upon the monthly reports of said clerk, and deducted from the amount therein otherwise shown to be due the city, and all witness fees collected by the clerk and not paid to witnesses as aforesaid, shall be paid over to the city the same as other fees accruing to the city, and all balances of deposits for costs remaining in the hands of said clerk for a period exceeding six months after the termination of any action, or for a like period after an abandonment of or failure to prosecute the same, shall be paid over to the city on the last day of February and on the last day of August in each and every year. Provided, That in the event that the party or parties to such action or actions, who may be entitled to receive said balances of deposits or any portion thereof, may demand the same of said clerk at any time thereafter, and upon giving a receipt therefor to the clerk he shall pay over the same, and said receipt shall be a sufficient voucher for the same in like manner as provided herein in the case of receipts for witness fees. No fees shall be charged against either the city, county or State.

Sheriff or constable not to serve process, when.

Police fees, how returned and accounted for.

Witness fees in criminal actions.

Unclaimed witness fees.

Unclaimed deposits for costs

Clerk to pay same, when.

Fees not to be charged, when.

SEC. 18. It shall be the duty of the Mayor and Chief of Police of said city to see that a sufficient number of police

officers are always in attendance upon said court, and in readinese to obey its mandates and serve its process, and preserve order in its proceedings. Police officers of said city shall hereafter receive for their services no other compensation than the salary paid them by said city; and if any fee, gratuity or reward shall be paid to any police officer, for any service, he shall forthwith pay the same over to the clerk of said Municipal Court, for the use of said city, and the failure to do so shall be a misdemeanor, punishable by fine not exceeding one hundred dollars, or by imprisonment not exceeding thirty days. And it shall be the duty of the Chief of Police, or clerk of the Municipal Court, or any other official of said city, who may have knowledge of such failure so to pay over said fees to forthwith cause complaint to be made against said police officer. Provided, That this section shall not be so construed as to require any officer or officers so to pay over said fees in cases in which said officers, being regularly or specially appointed, designated or detailed for detective duties, and being in pursuit of any person or persons, charged with any crime or misdemeanor, shall under the advice or with the consent of the County Attorney of the county of Hennepin or of the City Attorney of the city of Minneapolis, pursue said alleged offender or offenders beyond the limits of said city of Minneapolis; in which event said officer or officers shall be entitled to receive for his or their own use and benefit all fees for such pursuit and all rewards offered for the apprehension of such offenders.

Police officers to be in attendance.

Police officers not entitled to fees, gratuities and rewards.

If not paid over, complaints to be made.

Police officers, when entitled to fees and rewards.

SEC. 19. In the case of sickness or absence of the Municipal Judge, and of the special judge, either of the judges of the District Court for the county of Hennepin may and hereby is authorized and empowered to hold said Municipal Court and perform all the duties and exercise all the functions of Municipal Judge. And either of the judges of said District Court may, upon the request of said Municipal Judge, act as the judge of said Municipal Court in the trial of any particular cause pending therein. In case it shall appear from the pleadings, or upon the trial of any cause, that the title to real estate is involved in the action, the Municipal Court shall not proceed further therein, but shall transfer the action to the District Court of said county, and the cause shall be proceeded with in the court to which it shall be transferred, as if originally commenced therein.

District Court Judge may act, when.

Title to real estate.

Cause transferred to District Court.

City Attorney, when to prosecute.

SEC. 20. The City Attorney of the city of Minneapolis shall have charge of the prosecution of all criminal proceedings before said Municipal Court, except the trial of persons charged with having committed within the county of Hennepin, but without the city of Minneapolis, offenses against the criminal laws of the State, and except the preliminary examination of all persons charged with offenses against the criminal laws of the State, which cases the County Attorney of the county of Hennepin shall have charge of and prosecute.

County Attorney, when to prosecute.

Clerk to procure supplies.

SEC. 21. The clerk of the Municipal Court shall, under the direction of the judge, and with the consent of the city council of said city (unless otherwise provided), from time to time procure and furnish all necessary blanks, stationery, record books, court room, jury room, and office furniture, lights and fuel, for the use of the court and the officers thereof, at the expense of the said city.

Justices of the Peace to transfer causes.

SEC. 22. Upon the election and qualification of the Municipal Judge, all causes and proceedings then pending before justices of the peace within said city, shall forthwith, by said justices, be transferred to said Municipal Court, with all papers and records concerning the same, and said Municipal Court shall take cognizance of such causes and proceedings, and proceed therein as if the same were originally commenced in said Municipal Court. And the dockets, records, files and papers in the custody of any and all justices of the peace of said city, shall at once be transferred and turned over to the said Municipal Court, which shall have full jurisdiction to finish and complete all proceedings pending before any justice of the peace and to enforce by execution or otherwise, all judgments theretofore rendered by justices of the peace within the present city of Minneapolis, and such judgments shall stand on the same footing as judgments of said Municipal Court. And after the election and qualification of said Municipal Judge, no justice of the peace within the city of Minneapolis, shall issue any process, nor take cognizance of any action or proceeding, civil or criminal; but the jurisdiction of said Municipal Court, shall, within said city, be exclusive in all causes heretofore cognizable before justices of the peace, except that this clause shall not affect the jurisdiction of any court of record having general jurisdiction, such as is conferred upon the District Court.

Justice's dockets, records, files and papers.

Justices of the Peace not to act, when.

Municipal Court to have exclusive jurisdiction, when.

Act to take effect.

SEC. 23. This act shall take effect and be in force from and after the twenty-first day of March, eighteen hundred and eighty-three.

APPENDIX

To Municipal Court Act, being Chapter Five of the Special Laws of 1875.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. Chapter one hundred and forty-one of the special laws of eighteen hundred and seventy-four, entitled, "An act to establish a Municipal Court in the City of Minneapolis," is hereby amended by adding thereto the following sections, to-wit:

SEC. 24. In all cases in said Municipal Court, where the service of the summons is made by leaving a copy thereof at the last usual place of abode of the defendant, and where the service of the summons is made by publication, before judgment is rendered, the plaintiff shall file, or cause to be filed, with the clerk of said court, a bond with sufficient sureties, to be approved by the judge of said court, in double the amount of the judgment claimed, conditioned that if the defendant, within six months from the rendition of said judgment, appears and is admitted to defend the action, the plaintiff will abide the order of the court therein, and will refund all amounts collected upon said judgment, and make restitution of all property received by virtue thereof, if ordered by said court, and pay all damages that may be adjudged against him.

SEC. 25. And the said Court may at any time within six months after the rendition of any such judgment, open any default, for good cause shown, and allow the defendant to come in and defend on such terms and conditions as it may seem equitable, and may, at its discretion, require the defendant to file a bond with the clerk of said conrt, with sureties to be approved by the judge, in a sum double the amount of the judgment, conditioned that he will abide the order of the court in the case, and pay all costs and damages that may be adjudged against him therein.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 27th, 1875.

SCHOOL LAW.

SPECIAL ACT OF MARCH 8TH, 1878, AND ACTS AMENDATORY THERETO.

SECTION 1. **Creation of, and Powers of Board of Education.** That the city of Minneapolis, in the county of Hennepin, shall, on and after the first Tuesday of April, A. D., one thousand eight hundred and seventy-eight, constitute in law but one school district, and the Board of Education of the East Division of Minneapolis is hereby united and consolidated with the Board of Education of the West Division of Minneapolis, such union to take effect on the day above named, and such united board shall thereupon constitute and become one corporation, under the name of "The Board of Education of the city of Minneapolis," and shall have a common seal, and be capable of sueing and being sued, and of taking by gift, grant, purchase, devise or bequest, or otherwise, any real or personal property, and of using, selling, conveying, controlling and enjoying the same, and of entering into, making, performing and enforcing contracts. It shall be the successor in law of the Board of Education of the East Division of Minneapolis and the Board of Education of the West Division of Minneapolis, and shall succeed to all the property, rights and liabilities of every kind of said two boards.

The title to all real estate within the limits of the city of Minneapolis, whether vested in the trustees of any school district either wholly or in part within the limits of said city, in the Board of Education of Minneapolis, the Board of Education of the Town of Minneapolis, the Board of Education of the City of Minneapolis (as the same was prior to the consolidation of the cities of Saint Anthony and Minneapolis), the Board of Education of the West Division of Minneapolis, the Board of Education of the city of Saint Anthony, the Board of Education of the East Division of Minneapolis, as well as the title to all personal property belonging to either of said Boards of Education or to any school district wholly within the limits of said city, shall be and become vested in the Board of Education of the city of Minneapolis as hereby constituted.

It shall have the entire control and management of all common schools within the city of Minneapolis. It shall be entitled to demand, have and receive all moneys which have accrued, or shall accrue, to either of said districts, or to said united district, for school purposes under any law of this State or otherwise, and may appropriate and use such moneys for the support and maintenance of the schools within such district as such board may deem best. It may also hire, or erect and maintain, as it shall deem best, school-houses and school-rooms, but it shall never erect any building upon land to which it has not the title in fee simple. It may employ superintendents and teachers, and make rules and regulations for the government of schools, and for the employment and examination of teachers, and prescribing their powers and duties; and prescribing the description, grading and classification of scholars and their management, and the course of instruction and books to be used, and all other matters pertaining to the government and welfare of schools. It may also make by-laws, rules and regulations for its own government. - *Special Laws*, 1878, c. 157. § 1. *Special Laws*, 1881, c. 114, § 1, *and Special Laws*, 1883.

SEC. 2. **Election of Directors.** The Board of Education of the city of Minneapolis shall consist of seven school directors. At the annual city election to be holden on the first Tuesday of April, A. D. One Thousand Eight Hundred and Seventy-eight, there shall be elected three school directors for the term of three years, two school directors for the term of two years, and two school directors for the term of one year, and thereafter there shall every year be elected two school directors for the term of three years, and every third year an additional school director (making three) shall be elected for the like term. In case any school director shall die, resign, remove from the district, or otherwise vacate his office more than one year before the expiration of his term of office, a school director may be chosen at the next annual election after such vacancy shall occur, to fill the place for the unexpired term of the director so vacating.—*Id.* § 2.

SEC. 3 **Time and Manner of Conducting Elections.** All elections for school directors shall be at the annual city election, and as a part of such city election, and such school directors shall be voted for upon a separate ballot, and a separate ballot box shall be provided at each precinct, which shall be kept by the judges to receive the ballots of such persons as are entitled to vote for such school director. Whenever such school directors are voted for to serve for different terms, the ballots used shall designate the term for which the person named is voted for. The judges of election shall make returns of the votes cast for school directors, and the City Council shall canvass the same as in the case of city officers, and the City Clerk shall forthwith notify the persons elected of their election, and in all matters not herein especially provided for, touching such election, the rules provided for the election of city officers of said city shall apply.—*Id.* § 3.

SEC. 4. **Directors to Qualify, and Secretary and Treasurer to Give Bonds.** Every school director, before he shall enter upon the duties of

his office, shall take, subscribe and file in the office of the City Clerk of said city, an oath or affirmation that he will support the constitution and laws of the State of Minnesota, and discharge the duties of his office to the best of his ability. The meetings of said Board of Education shall be held at such times and places as shall be appointed by the board. Its officers shall consist of a president and secretary, who shall be school directors. The city treasurer shall be treasurer of the board, and the comptroller shall perform such duties in connection therewith as hereinafter prescribed. The secretary of the board and the city treasurer of the city of Minneapolis, shall each before entering upon the duties of his office, execute and deliver to the Board of Education of the city of Minneapolis, a good and sufficient bond, payable to the Board of Education of the city of Minneapolis, in such sum as shall be fixed upon by the board, and with sureties who shall be freeholders of said city, and shall be approved by the board, and who shall justify in the aggregate to double the amonnt of the bond, conditioned that the principal in the bond shall well and faithfully perform and discharge all the duties of his office, and pay and turn over to his successor, or to whomsoever the board may direct, all moneys and every valuable thing which shall come into his hands by virtue of his office, belonging to said board. Such bonds shall be filed for safe keeping with the City Comptroller of the city of Minneapolis.—*As amended, Spec. Laws* 1879, c. 62, § 1.

SEC. 5. **Duties of Officers.** The president, or, in his absence, a president *pro tempore* shall preside at all meetings of the board, and sign all orders on the treasury for all moneys voted to be paid by the treasurer, and shall perform all duties necessary for the transaction of the business of the board, and which are usually performed by the president of a corporation.

The secretary, or in his absence the secretary *pro tempore*, shall keep a full and fair record of all the proceedings of the board at its meetings, and shall draw and attest all orders drawn upon the Treasurer, and keep a record thereof showing the number, date, amount, purpose for which drawn, and name of payee of each order separately. All such orders shall be made payable to the order of the payee therein named, and shall not be paid without his endorsement, either personally or by his authorized agent or attorney. The secretary shall perform such other duties as are usually performed by such officer, or as may be directed by the board, and shall draw no orders on the treasury except such as have been allowed by the board, by a majority vote of all its members, taken by ayes and nays, and entered on the record of the proceedings of the board.

The City Comptroller shall keep regular books of account of the board, in which he shall enter all indebtedness of said board, and which shall at all times show the precise financial condition of said board, the amount of bonds, orders or other evidences of indebtedness outstanding, and the redemption of the same when redeemed, and he shall countersign all

bonds, orders or other evidences of indebtedness of said board and keep an exact account thereof, showing to whom and for what purpose issued and the amount of each, and of all moneys received or paid out by the City Treasurer on account of said board. All claims allowed by the board shall before they are paid be audited by the Comptroller.

The City Treasurer shall receive and safely keep all moneys of the board and pay the same only upon orders signed by the president and attested by the secretary of the board and countersigned by the Comptroller and properly endorsed by the payee, or in payment of outstanding matured bonds or coupons of said board or either of the boards which are united by section one of this act, and shall keep full books, records and vouchers of all his transactions. He shall deposit the moneys of said board as the moneys of the city of Minneapolis in any bank which shall be designated by the City Council of said city as depositories of funds of said city, and the funds while so on deposit in such banks shall for all purposes connected with such deposit be regarded as the money of the city of Minneapolis, and may be recovered as such by said city from said banks, and the sureties of such banks upon the bonds which said banks shall execute to the said city, but when drawn or recovered from such banks shall be accounted for to its proper fund. And the treasurer shall have the same exemption respecting such funds deposited in such banks as in respect to other funds of said city.—[*As amended, Spec. Laws* 1879, c. 62, § 2.

SEC. 6. **Meetings of Board.** The regular meetings of the board shall be fixed by its rules and by-laws. Special meetings may be called by the president or any two school directors, by written notice, stating the time, place and object of the meeting, to be served personally or by mail at least twenty-four (24) hours before such meeting. But whenever a majority of all the directors are present at any meeting, the same shall be a legal meeting at which any business which could come before a regular meeting may be transacted, irrespective of whether there was any notice given for such meeting or not.—[*Spec. Laws* 1878, *c.* 157, § 6, *and Spec. Laws* 1883.

SEC. 7. **Authority to Levy Taxes.** Said Board of Education is hereby authorized and empowered to levy upon the taxable property in said city, in each and every year, such taxes as will raise sufficient sums of money for all school purposes of every character, including the purchase of sites and building and repairs of school buildings and expenses incident to the maintenance thereof, and as will also provide for the prompt payment of all indebtedness of said district; *provided*, that the aggregate annual levy of such taxes shall never exceed in any one year three mills on the dollar upon the assessed valuation of said district; *except* that in each of the years one thousand eight hundred and eighty-three (1883) and one thousand eight hundred and eighty-four (1884), said board may levy an additional tax of one mill on the dollar upon the assessed valuation of said district; the money received from which shall be expended in the purchase of school house sites and for building purposes,

The board shall make return of its annual levy of taxes on or before the first (1st) day of November of every year, to the County Auditor of the county of Hennepin, and such taxes shall be collected and the payment thereof enforced with and in like manner as State and county taxes are collected and the payment thereof enforced; and when collected shall, together with all costs, interest and penalties collected thereon, be paid over by the County Treasurer to the City Treasurer of the city of Minneapolis as often as said County Treasurer is required to make settlement with said City Treasurer in respect to city taxes.—[*As amended Spec. Laws* 1879, c. 62, §3; *Spec. Laws* 1881, c. 114, §2; *Spec. Laws of extra session of* 1881, c. 49, §1, *and Spec. Laws* 1883.

SEC. 8. **Annual Meetings of Board.** The school directors who shall be elected at the annual city election to be held on the first Tuesday of April, A. D. one thousand eight hundred and seventy-eight, shall meet at the office of the City Clerk of said city of Minneapolis, on Thursday, the eleventh day of April, A. D. one thousand eight hundred and seventy-eight, at ten o'clock in the forenoon, and may then and there effect a temporary organization, and may then proceed to elect permanent officers for the year, and to the transaction of any business, or may adjourn to any other time and place to complete the permanent organization of the board. The annual meeting of the board for the election of its officers for the year shall always be on the second Tuesday after the annual city election, at such hour and place as the board may by its rules appoint for its regular meetings. But vacancies may be filled whenever they shall happen during the year, and officers shall hold until their successors are elected and qualified, unless they cease to be eligible.—[*Spec. Laws*, 1878, c. 57, §8.

SEC. 9. **Purchase and Sale of Real Estate.** The board may purchase real estate for school purposes whenever six school directors shall vote to make such purchase, and the board may also sell and convey any of its real estate, but only when five of the school directors authorized to be elected shall vote to make such sale. In the case of sale of real estate of the board, the deed of conveyance thereof may be executed by the President and Secretary, officially, having the seal of the board affixed thereto. All votes under this section shall be by yeas and nays, and recorded in the record of the proceedings of the board.—[*Id.* §9.

SEC. 10. **Secretary not to Countersign Orders, when—Certificates of Indebtedness.** The Secretary of the board is hereby forbidden from countersigning or issuing any orders upon the treasurer of said board, except when there is money in the hands of the Treasurer to pay the same. The said board shall never issue any bond or promissory note, certificate of indebtedness, or other obligation for the payment of money, except the same shall be made to become due and shall be paid, at a date not later than the first day of July then next ensuing, and then for no greater sum than can be paid, when due, out of the regular revenues of the board, for the school year in which such bond, note, certificate, or other obligation

of indebtedness is issued.—[*Id.* §10, *as amended Spec. Laws*, 1881, c. 114 §3, *and Spec. Laws of the Extra Session of* 1881, c. 49, §2.

SEC. 11. After the passage of this act the Boards of Education of the East and West Divisions of Minneapolis shall continue in existence until the first Tuesday of April, A D. one thousand eight hundred and seventy-eight, and no longer; but neither of them shall in the meantime enter into any new contract which is not to be fully performed before the date last above mentioned. and it shall be the duty of the secretaries of each of the said two boards to attend at the office of the City Clerk of said city on the eleventh day of April, one thousand eight hundred and seventy-eight, named, at ten o'clock in the forenoon, and surrender and deliver over to the school directors elected under the provisions of this act all books, records, vouchers, papers and property in their custody belonging to their respective boards; and as soon thereafter as the new Board of School Directors shall organize and elect a Treasurer and said Treasurer shall qualify, it shall be the duty of the Treasurers of said division boards to pay over to the new Treasurer all moneys in their hands, or for which they are responsible as such Treasurers, and all records, books, vouchers and property under their control as such Treasurers; and any failure so to do shall be held to be a breach of the official bond of such Treasurer so failing, and such bonds may be prosecuted by the Board of Education of the City of Minneapolis, as may also any other right of action, which, but for this act, might have accrued in favor of either of said former Boards of Education.—[*Id.* §11.

SEC. 12. This act shall take effect and be in force from and after its passage. Approved March 7, 1878.—[*Id.* §12.

SEC. 13. **Acquisition of Lands and Title thereto.** Whenever said board deems it expedient to acquire the title to any lands situate within the city of Minneapolis, either for a school house site or for an addition to any school house site, the same may be acquired at the option of said board by proceeding as provided in sections seven (7), eight (8), nine (9), ten (10) and eleven (11) of chapter thirty-six (36) of the General Statutes of one thousand eight hundred and seventy-eight (1878), except as herein otherwise directed. The title which said board shall acquire to any lands by the proceedings herein provided, shall be an absolute estate in fee simple.

Said board in its application to the District Court for the appointment of commissioners shall, in addition to the requirements of section seven (7) of chapter thirty-six (36) of the General Statutes of one thousand eight hundred and seventy-eight (1878) state that the title to be acquired by said board is an absolute estate in fee simple.

In proceedings brought by said board under the provisions of this act, judgment shall not be entered as provided in section ten (10) of chapter thirty-six (36) of General Statutes of one thousand eight hundred and seventy-eight (1878), but it shall be entered declaring that upon payment of the amount of the assessment, or verdict, in case of appeal, with costs,

to the owner of such lands, or to the clerk of the District Court, an absolute estate in fee simple in such lands as are in said petition described, shall be, and become, vested in said Board of Education.

It is further provided that said board may at any time after the filing of its petition as aforesaid, enter upon and occupy such lands as are in its petition described, until the proceedings contemplated by this act shall have been fully determined, and it shall not during such time be disturbed in such possession or occupancy by any proceedings either in law or equity. Said sections seven, (7), eight (8), nine (9), ten (10) and eleven 11) of chapter thirty-six (36) of the General Statutes of one thousand eight hundred and seventy-eight (1878) as herein amended and qualified to conform to the intentions of this act are made a part hereof.—[*Special Laws of Extra Session of* 1881, *c.* 52, § 1, *and Spec. Laws* 1883.

AN ACT

TO AUTHORIZE THE CITY OF MINNEAPOLIS TO ISSUE BONDS.

Be it enacted by the Legislature of the State of Minnesota:

SEC. 1. The City Council of the City of Minneapolis is hereby authorized, in the manner, under the restrictions, and for the purpose hereinafter designated, to issue from time to time, as needed, the bonds of said city in such denominations, at such time of payment not exceeding thirty (30) years, and at such place of payment as may be deemed best, such bonds to have semi-annual interest coupons, at such rate of interest not exceeding five (5) per cent. per annum, payable at such place or places as said City Council shall designate, and said City Council is further authorized to negotiate and sell such bonds from time to time upon the best terms for said city that may be obtained. Provided, however, that no such bonds shall be sold on any terms that will make the rate of interest on the price actually received for such bonds greater than five (5) per cent. per annum on bonds sold at par.

SEC. 2. All proceedings under this act shall be by resolution of said City Council, to be approved by the Mayor, and published as provided by the charter of said City. The resolution for the isssue of any such bonds shall be introduced at some regular stated meeting of said City Council, shall lie over for final action until some subsequent regular meeting of said City Council, and be published in the official proceedings of the meeting of the Council at which it was introduced, and shall require for its passage the affirmative vote of not less than two-thirds ($\frac{2}{3}$) of all the members of said Council. The resolution for the sale of such bonds may be introduced and passed in the same manner as is provided by the charter of said city for ordinary resolutions.

SEC. 3. Nothing herein shall authorize the issue at any time of bonds to such an amount that the whole amount of the principal of all bonds actually issued by said city at the time, together with the proposed issue, shall exceed five (5) per cent. of the aggregate value of the taxable property of said city as assessed and determined for the purposes of taxation, and the entire amount of the bonds issued under this act shall not exceed in amount the sum of four hundred thousand dollars ($400,000). This act shall not be construed as in any manner prohibiting or interfering with the issue of any and all bonds, the issue of which has heretofore been authorized, but all such bonds not already issued as well as such bonds, if any, as may be authorized for park purposes may be issued ill addition to the above amount. The signing or countersigning of an bonds purporting to be issued under authority of this act by the City Comptroller of said city shall, in respect to all such bonds held by bona fide purchasers, be deemed conclusive evidence that the limitations of this section have been observed and complied with.

SEC. 4. The avails of all bonds issued under authority of this act shall be applied to the permanent improvement fund of said city, as provided for in the charter thereof, and to no other purpose. The sum of two hundred and eighty thousand dollars ($280,000) of the avails of said bonds shall be set apart and placed in the water works fund, as provided by the charter of said city, such amounts to be so set apart from time to time as realized on sales of said bonds. No part of said two hundred and eighty thousand dollars ($280,000) of such bonds shall be applied to any other use than water works purposes.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 26th, A. D. 1883.

AN ACT

AUTHORIZING THE CITY OF MINNEAPOLIS TO ISSUE BONDS FOR THE CONSTUCTION OF STREET APPROACHES TO RAILWAY CROSSINGS.

Be it enacted by the Legislature of the State of Minnesota:

SECTION 1. The City Council of the city of Minneapolis is hereby authorized in the manner, under the restrictions and for the purposes hereinafter designated to issue from time to time as the same shall be

needed, the bonds of said city in such denominations, at such time of payment not exceeding thirty years, and at such place of payment as may be deemed best, such bonds to have semi-annual interest coupons, at such rate of interest not exceeding five per cent. per annum, payable at such place or places as said City Council shall designate. And said City Council is further authorized to negotiate and sell such bonds at the best terms for said city that may be obtained. Provided, however, that no such bonds shall be sold on any terms that will make the rate of interest or the price actually received for such bonds, greater than five per cent. on bonds sold at par.

SEC. 2. All proceedings under this act shall be by resolution of said City Council, to be approved by the Mayor and published as provided by the charter of said city, which resolution shall be introduced at some regular stated meeting of said City Council, shall lie over for final action until some subsequent regular meeting of said City Council, and be published in the official proceedings of the meeting of the Council at which it was introduced, and shall require for its passage the affirmative vote of not less than two-thirds of the members of said Council. The resolution for the sale of such bonds may, however, be introduced and passed in the same manner as is provided by the charter of said city for ordinary resolutions.

SEC. 3. There shall be no more bonds issued under this act than sufficient to provide such means as may be required to construct street approaches to all the railway crossings in said city where the City Council has now required or shall hereafter require, that the grade of the street be so established that all travel thereon shall go either over the railway on a viaduct or under the railway through a cut, and the whole amount of bonds to be issued hereunder shall never exceed the sum of one hundred thousand dollars. Provided that nothing herein shall authorize the issue of any amount, so that the whole amount of the indebtedness of said city, together with the bonds of said city heretofore authorized, shall in the aggregate exceed five per cent. of the aggregate value of the taxable property of said city as assessed and determined for the purposes of taxation, but the signing or countersigning of such bonds by the City Comptroller of said city shall in respect to all such bonds as may be held by bona fide purchasers be deemed conclusive evidence that the limitations of this section have been observed and complied with.

SEC. 4. The avails of such bonds shall be placed in the permanent improvement fund of said city, but shall not be applied to any other purpose than the building the approaches of the railway crossings above mentioned.

SEC. 5. This act shall take effect and be in force from and after its passage.

Approved February 26th, A. D. 1883.

AN ACT

AUTHORIZING THE CITY OF MINNEAPOLIS TO PAY CERTAIN INTEREST MONEY OUT OF THE PERMANENT IMPROVEMENT FUND.

Be it enacted by the Legislature of the State of Minnesota:

SEC. 1. The City Council of the City of Minneapolis may transfer from the permanent improvement fund of said city, and place to the credit of its interest fund, sufficient money from time to time, not exceeding in all thirty thousand dollars ($30,000), to pay such interest on the bonds of said city which have been issued since the last tax levy, or which shall be issued, as shall become due prior to June twentieth (20th), one thousand eight hundred and eighty-four (1884). The money so transferred to be used for the payment of such interest and for no other purpose.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved March 2d, A. D. 1883.

AN ACT

AUTHORIZING THE CITY OF MINNEAPOLIS TO REIMBURSE THE PERSON THEREIN MENTIONED FOR MONEYS ADVANCED FOR THE BENEFIT OF SAID CITY.

Be it enacted by the Legislature of the State of Minnesota:

SEC. 1. The City Council of the city of Minneapolis is hereby authorized and empowered to reimburse H. T. Welles, or other holder of a certain note for ten thousand dollars ($10,000), by paying to said H. T. Welles, or to such other holder, out of any fund or funds of said city not otherwise appropriated, such sum, not exceeding ten thousand dollars

($10,000), principal, as he, the said Welles, by cashing said note, advanced for the benefit of said city, under, pursuant to and upon the faith of the resolution of said City Council, passed January 4th, A. D. one thousand eight hundred and eighty-two, and approved January 16th, A. D. one thousand eight hundred and eighty-two; and also, by so paying interest upon the sum so advanced to the time of such reimbursement, at the rate in said note specified.

SEC. 2. This act shall take effect and be in force from and after its passage.

Approved February 17th, A. D. 1883.

STANDING RULES

OF THE

CITY COUNCIL.

RULE I.

The President (and in his absence the Vice President) of the Council shall take the chair at the appointed hour for the Council to meet, whether in regular or special session, and call the members to order, at which time the roll of members of the Council shall be called by the Clerk, and if a quorum is present and answer to their names the minutes of the preceding session shall be corrected and approved. He shall preserve order and decorum, and shall decide all questions of order, which shall be final unless an appeal shall be taken to the Council. On every appeal so taken he shall have the right in his place to give his reasons for his decision. Such appeal shall be decided without debate.

RULE II.

Every member present shall vote on all questions put by the presiding officer, unless excused by the Council for special reasons given.

RULE III.

Every motion (except to adjourn, postpone or commit,) shall be reduced to writing, and if the same shall be seconded shall be fairly stated by the presiding officer.

RULE IV.

A motion may be withdrawn by the member offering the same, provided the same shall be done before a decision, amendment, or any disposion thereof has been had, or a vote taken thereon.

RULE V.

When a member desires to speak, give notice, make a motion, report, or present a petition or other paper, he shall arise, address the presiding officer, and shall not proceed further unless recognized by him.

RULE VI.

No member shall speak more than twice to the same question without leave of the Council, nor more than once, in any case, until every member desiring to speak upon the question pending shall have spoken.

RULE VII.

No member shall be engaged in any private conversation, or discourse while a member is speaking, nor in any manner interrupt such member unless to call him to order.

RULE VIII.

If a member in speaking, or otherwise, transgress the rules of the Council, the President, or any member, may call him to order, in which case the member so called to order shall immediately sit down, unless permitted to explain.

RULE IX.

When two or more members arise and address the presiding officer at the same time, he shall designate which shall speak first.

RULE X.

A motion to adjourn shall always be in order, and shall be decided without debate.

RULE XI.

Committees to whom any matter may be referred shall in all cases report the facts and their opinion thereon.

RULE XII.

When a question is under debate no motion shall be received unless for an adjournment, for the previous question, to postpone it indefinitely, to postpone it to a certain day, to lay on the table, to commit it or to amend it. These several motions shall have precedence in the order in which they are stated.

RULE XIII.

A motion to lay a question on the table shall be decided without amendment or debate.

RULE XIV.

On forming a committee of the whole Council, the President shall leave the chair and call some other member to preside.

RULE XV.

The rules of the Council shall be observed in Committee of the Whole so far as may be applicable, except the previous question shall not be enforced nor the time of speaking limited.

RULE XVI.

A motion that the committee rise shall always be in order, and shall be decided without debate.

RULE XVII.

The Clerk shall not enter upon the journal the proceedings of the Committee of the Whole, except as the same may be reported to the Council.

RULE XVIII.

The previous question shall be admitted on the demand of any two members, and shall be put in these words: "Shall the main question now be put?" and until decided shall preclude all amendments under debate of the main question.

RULE XIX.

Every ordinance shall be introduced by a committee to whom the subject matter thereof may have been referred by resolution or otherwise, or by any member upon leave asked and granted. And a notice of intention to move for such leave shall be given at a previous session of the Council.

RULE XX.

Every ordinance shall receive two several readings previous to its passage. Such readings shall not be had at the same session unless in case of urgency, two-thirds of the Council shall deem it expedient to dispense with this rule.

RULE XXI.

The second reading of an ordinance shall be first by sections, at which time the amendments are to be offered. But the reading of a succeeding section shall not preclude the offering of an amendment to a preceding one. If no amendment is made the question shall be, "Shall this ordinance pass?" If amendments are made, the chair shall so report the same, and the ordinance shall be read as amended before the question of its passage is taken.

RULE XXII.

After an ordinance has passed the Clerk shall make a fair and correct copy of the same, and the same shall be by him presented to the Mayor for his approval.

RULE XXIII.

In all cases when an ordinance, order, resolution or motion shall be entered upon the journal, the name of the Alderman moving the same shall also be entered upon the journal.

RULE XXIV.

When a question has been once put to vote and decided, it shall be in order for any member who voted with the prevailing party to move for the reconsideration thereof, at the same or any subsequent meeting of the Council, provided the subject matter for reconsideration has not passed from the control of the Council; and any member of the Council having the right to move for the reconsideration of a question, as aforesaid, may at the same meeting said question was acted upon, give notice of his intention so to do at the next regular meeting of the Council thereafter, and, when such notice is given, it shall be the duty of the Clerk to retain the matter proposed to be reconsidered until the expiration of said subsequent meeting, and if not then reconsidered, it shall take the usual course. A motion for reconsideration having been put and lost, it shall not be in order to make the same motion a second time. A motion to reconsider shall take precedence of all others, except a motion to adjourn. But no question shall be reconsidered at a subsequent meeting unless as large a number of Councilmen are present as when the original vote was taken.

RULE XXV.

Petitions or other papers addressed to the Council shall be presented by the Clerk or one of its members.

RULE XXVI.

It shall be the duty of the Clerk to keep a correct journal of the proceedings of the Council, to cause committees, members of the Council, and city officers to be informed of such duties as they may be charged with by the Council from time to time, and perform such other duties as appertain to him as clerk. He shall give such information to the members of the Council, when requested, as he may be in possession of, relating to the city, its affairs, or the action of the Council. He shall suffer no journal accounts or papers to be taken out of his custody other than by the regular mode of business of the Council; nor shall he suffer any paper or writing in his possession to be altered, amended or abridged without special order of the Council for that particular purpose, and if any paper, book or memorandum of which he has had, or should have had charge, shall be missing, he shall immediately report the same to the Council, to the end that the same may be inquired into.

RULE XXVII.

Standing committees, consisting of five members, shall be appointed on the following subjects:

Ways and Means.
Salaries.
Claims.
Taxes.
Licenses.
Bonds of City Officers.
Accounts of City Officers.
Public Gounds and Buildings.
Roads and Bridges.
Street Grades and Additions.
Fire Department.
Water Works.
Gas.
Sewerage.
Markets.
Printing,
Railroads.
Police.
Workhouse.
Paving.

And of three members on the following subjects:
Health and Hospitals.
Cancellation.
Ordinances.
Rules.
Bethany Home.

RULE XXVIII.

In the ordinary transaction of business the following order shall be observed:

1st. Presentations of petitions and other communications.
2d. Reports from officers of the city.
3d. Reports from standing committees.
4th. Reports from special committees.
5th. Pesentation of accounts and other claims against the city.
6th. Unfinished business.
7th. Resolutions, motions and other matters.

RULE XXIX.

The rules of parliamentary practice embraced in Jefferson's Manual shall govern the Council in all cases to which they are applicable, and in which they are not inconsistent with the standing rules of the Council.

RULE XXX.

No rules of the Council shall be suspended, altered, or amended, without the concurrence of two-thirds of the whole Council.

ORDINANCES.

I.

AN ORDINANCE

RELATING TO THE WIDTH OF SIDEWALKS AND PLANTING OF SHADE TREES.

Be it Ordained by the City Council of the City of Saint Anthony:

SECTION 1. That twenty feet in width, upon and along each side of all streets which are eighty feet wide, and thirteen feet in width upon and along each side of all streets which are sixty-six feet wide, and eleven feet in width; upon and along each side of all streets which are sixty feet wide, shall be reserved for sidewalks, and all street gutters hereafter to be constructed along such streets, shall be made on the outer edge of the carriage way and along the edge of the portion reserved for sidewalks.

What width sidewalks to be

SEC. 2. Any person owning lots or land fronting on any street, may plant shade trees along either side or along both sides of that portion of the street reserved for sidewalks, in front of his lot or land. Such trees, when planted along the side nearest the carriage way shall be planted on the portion reserved for sidewalks and three and one half feet distant from the edge thereof on all eighty feet streets and two feet distant from the edge thereof on all other than eighty feet streets, and when planted along the side nearest the lots, shall be placed three and one half feet distant from the line of the lots.

Owners of lots or land may plant shade trees.

SEC. 3. Any person planting shade trees as provided for in the last section, may erect temporary fences outside of them so as to protect them while young, such fences however are to be constructed, as not to impede travel on the streets nor prevent persons on foot from passing along such sidewalks.

Temporary fences may be erected.

SEC. 4. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

Passed in City Council April 19th, 1870.

Approved April 19th, 1870,

W. W. McNAIR,
Mayor.

A true record,

PETER J. THIELEN,
City Clerk.

II.

AN ORDINANCE

GRANTING TO CERTAIN PERSONS THE RIGHT TO MANUFACTURE AND SELL GAS IN THE CITY OF MINNEAPOLIS.

The Common Council of the City of Minneapolis do ordain as follows:

SECTION 1. That Dorilus Morison, H. S. Southard, W. P, Westfall, S. C. Gale and, F. A. Gilson and their heirs, executors, administrators and assigns, shall have for the period of forty years the exclusive privilege of manufacturing and selling gas, to be made from coal and other materials, in the City of Minneapolis, and the streets, avenues, lanes, alleys, squares and public grounds thereof, and the buildings, manufactories and houses therein situated and contained, and to have the exclusive right to lay pipes for the purpose of conducting gas in any of the streets, avenues, lanes, alleys, squares and public grounds of the said city, and to adopt any other means necessary to furnish gas to any inhabitants of said city, it being understood that this ordinance is not to interfere with the right of any person or persons to light his or their buildings or manufactories with gas manufactured by the owners or occupant of such buildings for that purpose.

Exclusive privilege to manufacture and sell gas granted

SEC. 2. That the said persons named in the first Section of this ordinance, their heirs, executors, administrators and assigns, shall have the right by themselves, or their employees, agents, and servants to enter upon any of the streets, avenues, lanes, alleys

Rights granted

squares and public grounds of said city, and to dig up the same and use such means as may be necessary to lay the gas pipes through the same.

Provided, That such work shall be done in the manner that will cause as little inconvenience as possible to the citizens of said city, and shall not interfere with or injure the water pipes or hydrants in said city, and while making excavations in the streets and crossings shall keep the same properly and reasonably guarded and protected to prevent accidents to persons using such streets. Provision.

SEC. 3. The said persons herein, before named, their heirs, executors, administrators and assigns, and the Common Council of the city of Minneapolis may contract for and make regulations relating to the lighting of said city with gas in such manner as may be agreed upon, and they may make generally such contracts in relation thereto, as may be beneficial to the said respective parties. In case the said persons or their representatives and assigns and the Common Council of the city of Minneapolis cannot agree on the price to be charged for gas by said persons from time to time, then it shall be left to the arbitration and award of three disinterested persons to fix and determine said price. The said persons, their representatives or assigns, shall, whenever notified so to do by the Common Council of said city, select one person to act as arbitrator, and the Common Council of said city one person for such purpose, and the two selected shall choose a third, and said three arbitrators shall, with all convenient dispatch, proceed to hear the proofs and allegations of the parties, and shall thereupon name and fix a price by report in writing, which shall be paid by said city for the use of gas for such time as may be agreed upon, and submitted to arbitrators, and not less than one year. In case any of the parties selected should decline or neglect to act, the party selecting the person who declines may select another or others until arbitrators can be found who will act, and the determination of such arbitrators shall be binding on both parties for the term submitted. During the pendency of such arbitration the said persons shall furnish gas and receive as compensation thereof the amount fixed by said arbitrators.

May contract for lighting the city with gas.

Arbitrators may be appointed when and how.

SEC. 4. That said persons or their assigns shall commence the construction of their works within six months from the passage of this ordinance, and shall within eighteen months from the passage thereof have not less than a mile and a half of pipe laid in said City of Minneapolis, and gas works erected, and be ready in all respects to furnish gas to those applying for it, and shall furnish gas to the corporation of said city whenever and wherever required, to the extent to which such persons, their heirs, executors, or assigns may have their pipes laid, at rates not exceeding those

When to be commenced and completed and what price to be charged for gas.

charged by companies in neighboring cities, regard being had to freight and charges for material for manufacturing gas. In case of disagreement between said persons and the Common Council of the city as to the price to be charged for gas to said corporation, the same shall be fixed as provided in section three of this ordinance.

Right granted to enter any public or private building to examine gas meters.

SEC. 5. The said persons or their assigns and representatives, shall have the right and power by their agents or in person, to enter any public or private building or house in said city, in the day time, for the purpose of examining the gas meter in said building in accordance with the regulations that may be established by said persons concerning the use of gas and gas meters in houses and buildings in said city.

Penalty for injuring any machine, pipe or structure.

SEC. 6. If any person shall willfully do or cause to be done any act, or acts, whatsoever, to injure any machine, pipe or structure whatsoever, or anything appertaining to the works of said persons, their heirs, executors or assigns, erected, used, kept or designed by them for the purpose of furnishing and supplying said city or the citizens thereof with gas, whereby the same may be obstructed or in any manner injured or damaged, the persons so offending may, upon conviction thereof, before any City Justice, be fined not exceeding one hundred dollars, or imprisonment in the city or county jail not exceeding ninety days, or by both such fine and imprisonment.

Rights forfeited when.

SEC. 7. Any failure on the part of said persons named in the first section of this ordinance, their heirs, executors, administrators and assigns to comply with the provisions of section four of this ordinance, shall cause a forfeiture of all rights and privileges by this ordinance granted.

Exempt from municipal taxation when and how long.

SEC. 8. In consideration of the said persons in the first section of this ordinance named, furnishing gas as in this ordinance provided, the gas manufactory and real estate on which the same is situated and owned by said persons for the purpose of manufacturing gas, and all pipes and coal or other material whatever used for and in the business of manufacturing gas for said city, shall be exempt from all municipal taxation by the said City of Minneapolis for the period of three years from and after the passage of this ordinance.

Terms upon which city may purchase the franchise.

SEC. 9.—That if at the expiration of forty years the said city shall desire to purchase said franchise and said gas works, they shall have the privilege of doing so, upon the following terms, namely: That said city may purchase the franchise pertaining to territory and gas pipes, works, fixtures, and other property pertaining to said business, at the actual value of the same, the value to be fixed by three arbitrators, who are to be chosen as follows: One by the said city, one by the owners of the franchise, and the

third by the arbitrators thus chosen, and the arbitrament or award of value made by these three, or a majority of them, shall be the price at which said city may purchase said franchise and property.

SEC. 10. That should the city decline to purchase, at the valuation aforesaid, then the rights, franchises, and privileges are to be continued twenty years longer, to the said persons, their heirs, executors, administrators and assigns, with the conditions hereinbefore in this ordinance stated.

Franchise to be continued twenty years longer when.

SEC. 11. This ordinance shall take effect and be in force from and after its publication.

O. B. KING,
President Common Council.

THOMAS HALE WILLIAMS,
City Clerk.

Approved Feb. 24, 1870. D. MORISON,
Mayor.

III.

AN ORDINANCE

GRANTING TO CERTAIN PERSONS THE RIGHT TO MANUFACTURE, FURNISH AND SELL GAS IN THE CITY OF SAINT ANTHONY, MINNESOTA.

Be it Ordained by the City Council of the City of Saint Anthony:

SECTION 1. That Thomas A. Murphy, Ashley C. Morrill, Johnathan Chase, Herbert M. Carpenter, William W. McNair and their heirs, executors, administrators and assigns shall have for the period of fifty years, the exclusive right and privilege of manufacturing, furnishing and selling gas, to be made from coal and other materials in the city of Saint Anthony, and the streets, avenues, lanes, alleys, squares and public grounds thereof, and the buildings, manufactories and houses therein, situated and contained, and to have the exclusive right to lay pipes for the purpose of conducting gas in any of the streets, avenues, lanes, alleys, squares and public grounds of the said city, and to adopt any other means necessary to furnish gas to any inhabitant of said city, it being understood that this ordinance is not to interfere with the right of any person or persons

Exclusive right and privilege granted to manufacture and sell gas

to light his or their buildings, or manufactories with gas manufactured by the owner or occupant of such buildings for that purpose.

SEC. 2. That the said persons named in the first section of this ordinance, their heirs, executors, administrators and assigns, shall have the right, by themselves or their employes, agents and servants, to enter upon any of the streets, avenues, lanes, alleys, squares, and public grounds of said city, and to dig up the same and use such means as may be necessary to lay the gas pipes through the same.

Provided, That such work shall be done in the manner that will cause as little inconvenience as possible to the citizens of said city, and while making excavations in the streets and crossings, shall keep the same properly and reasonably guarded and protected to prevent accidents to persons using such streets, and that they shall indemnify and save harmless the said city from all claims for damages which may be sustained by any person who shall be injured by any such accident.

Rights granted with provision.

SEC. 3. The said persons hereinbefore named, their heirs, executors, administrators and assigns, and the City Council of the City of St. Anthony, may contract for, and make regulations relating to, the lighting of said city with gas, in such manner as may be agreed upon, and they may make generally such contracts in relation thereto as may be beneficial to the said respective parties. In case the said persons or their representatives or assigns, and the City Council of the City of St. Anthony can not agree on the price to be charged for gas by said persons, from time to time, then it shall be left to the arbitration and award of three disinterested persons to fix and determine said price. The said persons, their representatives or assigns shall, whenever notified so to do by the City Council of said city, select one person to act as arbitrator, and the City Council of said city one person for such purpose, and the two so selected shall choose a third, and said three arbitrators shall, with all convenient dispatch, proceed to hear the proofs and allegations of the parties, and shall thereupon name and fix a price by report in writing, which shall be paid by said city for the use of gas for such times as may be agreed upon and submitted to arbitrators and not less than one year. In case any of the parties selected should decline or neglect to act, the party selecting the person who declines, may select another or others until arbitrators can be found who will act, and the determination of such arbitration shall be binding on both parties for the term submitted. During the pendency of such arbitration the said persons shall furnish gas and receive as compensation therefor the amount affixed by said arbitration.

City Council may contract for lighting the city with gas.

Arbitrators may be selected when and how.

SEC. 4. That said persons or their assigns shall within eighteen months [amended by ordinance of April 8th, 1872 so as to read

twenty-four months] from the passage hereof, have not less than a half mile of pipe laid in said city of Saint Anthony, and be ready in all respects to furnish gas to those applying for it, and shall furnish gas to the corporation of said city whenever and wherever required, to the extent to which such persons, their heirs, executors or assigns may have their pipes laid, at rates not exceeding those charged by companies in neighboring cities, regard being had to freight and charges for material for manufacturing gas. In case of disagreement between said persons and the City Council of the city as to the price to be charged for gas to said corporation, the same shall be fixed as provided by section three of this ordinance.

Commenced and completed when and what price to be charged for gas

SEC. 5. The said persons or their assigns or representatives shall have the right and power, by their agents or in person, to enter any public or private building or house in said city, in the day time, for the purpose of examining the gas meter in such building in accordance with the regulations that may be established by said persons, concerning the use of gas and gas meters in houses and buildings in said city.

May enter any public or private building in day time to examine gas meter.

SEC. 6. If any person shall wilfully do or cause to be done, any act or acts, whatever to injure any machine, pipe or structure whatsoever, or anything appertaining to the works of said persons, their heirs, executors, or assigns, erected, used, kept or designed by them for the purpose of furnishing and supplying said city, or the citizens thereof, with gas, whereby the same may be obstructed, or in any manner injured or damaged, the person so offending may, upon conviction thereof before any city justice, be fined not exceeding one hundred dollars, or imprisoned in the city or county jail not exceeding ninety days, or by both such fine and imprisonment.

Penalty for injuring any machine, pipe or structure.

SEC. 7. Any failure on the part of said persons named in the first section of this ordinance, their heirs, executors, administrators and assigns, to comply with the provisions of section four of this ordinance, shall cause a forfeiture of all rights and privileges by this ordinance granted.

Rights forfeited when.

SEC. 8. That if at the expiration of fifty years the said city shall desire to purchase said franchise and said gas works, they shall have the privilege of doing so, upon the following terms, namely: That said city may purchase the franchise pertaining to its territory and gas pipes, works, fixtures and other property pertaining to said business, at the actual value of the same, the value to be fixed by three arbitrators, who are to be chosen as follows: One by the said city, one by the owners of the franchise, and the third by the arbitrators thus chosen, and the arbitrament or award of value made by these three or a majority of them, shall be the price at which said city may purchase said franchise and property.

Terms upon which the city may purchase the franchise.

SEC. 9. That should the city decline to purchase at the valuation as aforesaid, then said rights, franchises and privileges

Privileges to continue twenty-five years longer when.

are to be continued twenty-five years longer, to the said persons, their heirs, executors, administrators and assigns with the conditions hereinbefore in this ordinance stated.

SEC. 10. This ordinance shall take effect and be in force from and after its publication.

ST. ANTHONY, Dec. 5th, 1871.

Approved,

Attest: E. S. BROWN,

SOLON ARMSTRONG, *Mayor*

City Clerk.

IV.

AN ORDINANCE

AMENDING AN ORDINANCE, ENTITLED, AN ORDINANCE GRANTING TO CERTAIN PERSONS THE RIGHT TO MANUFACTURE, FURNISH AND SELL GAS IN THE CITY OF SAINT ANTHONY, MINNESOTA.

Be it Ordained by the City Council of the City of Saint Anthony:

SECTION 1. That section four (4) of an ordinance granting to certain persons the right to manufacture, furnish and sell gas in the city of St. Anthony, Minnesota, approved December 5th, 1871, be amended by striking out the word "eighteen" where the same occurs in said section and inserting in lieu thereof the words "twenty-four."

SEC. 2. This ordinance shall take effect and be in force from and after its passage.

ST. ANTHONY, April 8th, 1872.

Approved,

E. S. BROWN,

Attest: *Mayor.*

SOLON ARMSTRONG,

City Clerk.

V.

AN ORDINANCE

RELATING TO DISORDERLY HOUSES AND HOUSES OF ILL-FAME, AND COMMON PROSTITUTES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. No person or persons shall keep within the limits of the city of Minneapolis, a disorderly or ill-governed house or place, or a house of ill-fame, or place resorted to for the purpose of prostitution, assignation, fornication, or for the resort of persons of ill-name, ill-fame or dishonest conversation, or common prostitutes; and no person shall procure or suffer to come together at such a house or place, any of the above described persons, nor commit or suffer to be committed in such house or place, any immoral, lewd, lascivious, immodest or other improper conduct or behavior, or any tippling, reveling, rioting or disturbance. Any person violating the provisions or any provision of this section, shall, upon conviction thereof before the Municipal Court of the city of Minneapolis, be punished by a fine not exceeding one hundred dollars nor less than twenty-five dollars and costs of prosecution, or imprisonment in the county jail for a period not exceeding ninety days; or both such fine and imprisonment.

Disorderly or ill-governed houses and houses of ill-fame prohibited.

Penalty.

SEC. 2. Any person who shall, within the limits of the city of Minneapolis, visit, resort to or frequent, or be found in a disorderly house or place, or a house of ill-fame or place resorted to for the purpose of prostitution, assignation, fornication, or for the resort of persons of ill-name or ill-fame, or dishonest conversation, or common prostitutes, shall, upon conviction thereof before the Municipal Court of the city of Minneapolis, be punished by a fine not exceeding ten dollars nor less than five dollars and costs of prosecution, or by imprisonment in the county jail for a period not exceeding thirty days, or both such fine and imprisonment.

Persons being found in a disorderly or ill-governed room or house of ill-fame may be arrested.

Penalty.

SEC. 3. No person or persons shall knowingly let or hire, or lease or demise any house or building or premises within the limits of the city of Minneapolis, to any person or persons of ill-name or ill-fame, or who are known by common reputation to be common prostitutes, or the keepers or proprietors of houses of ill-fame or places resorted to for the purpose of prostitution, assignation,

Owners of buildings prohibited from leasing.

fornication, or immoral, lewd, lascivious or other immodest or immoral conduct or behavior; and no person or persons, being the owner or owners of, or having the control of any house, building or premises within the limits of the city of Minneapolis, shall knowingly permit or allow or suffer any such person or persons as are hereinbefore described, to occupy and remain in occupation and possession of said house. building or premises. Any person violating the provisions or any provision of this section, shall, upon conviction thereof before the Municipal Court of Minneapolis, be punished by a fine not exceeding one hundred dollars nor less than fifty dollars, or by imprisonment in the county jail for a period not exceeding ninety days, or both such fine and imprisonment.

Penalty.

SEC. 4. Any person who commits any act of lewdness or indecency within the limits of said City of Minneapolis, and any male or female who, without any apparent lawful occupation, resides in or occupies apartments in any disorderly house or house of ill-fame within the limits of said city, may be arrested and brought before the Municipal Court of the City of Minneapolis, and upon the conviction of the offenses or either of them hereinbefore mentioned in this section, shall be punished by a fine not exceeding fifty dollars nor less than ten dollars and costs of prosecution, or to be imprisoned in the county jail or city prison for a period not exceeding ninety days, or both, at the discretion of the court.

Prostitutes may be arrested when.

Penalty.

SEC. 5. All ordinances inconsistent with this ordinance are hereby repealed.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed May 7, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 8, 1877.

JNO. DE LAITTRE,
Mayor.

VI.

AN ORDINANCE

TO PROHIBIT GAMING AND GAMBLING HOUSES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. Gambling with cards, dice, gaming tables, or other gambling device or devices whatever, and the keeping of all houses or places for the purpose of gambling or gaming or fraudulent practices, and the keeping or setting up of any gambling device designed to be used in gambling within the limits of the city of Minneapolis are hereby prohibited. Gambling prohibited.

SEC. 2. No person shall gamble with cards, dice, gaming tables or any other gambling device or devices whatever, and no person shall keep any house or place or suffer or allow any house or place to him or her belonging, or by him or her occupied, or by which he or she has the control, to be kept for the purpose of gambling or gaming or fraudulent practices, and no person shall keep or set up any gambling device whatever designed to be used in gambling or gaming within the city of Minneapolis. No person shall gamble with cards &c., or allow any house to be kept for gambling.

SEC. 3. No person shall bet any money, or other property, at or upon any gaming table, game or device prohibited by this ordinance

SEC. 4. Any person who shall violate any provision of this ordinance shall upon conviction thereof before the Municipal Court of said city be punished by a fine not exceeding one hundred dollars and costs of prosecution, and imprisonment until such fine and costs are fully paid, not to exceed ninety days. Penalty.

SEC. 5. All ordinances and parts of ordinances inconsistent with this ordinance hereby repealed.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed May 7, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 8, 1877.

JNO. DE LAITTRE,
Mayor.

VII.

AN ORDINANCE

RELATING TO MISDEMEANORS, BREACHES OF THE PEACE, AND DISORDERLY CONDUCT.

The City Council of the City of Minneapolis do ordain as follows:

Suspicious persons may be arrested and punished.

SECTION 1. Any person who may hereafter be found lurking, lying in wait, or concealed in any house, or other building, or in any yard or premises, or street, within the limits of the city of Minneapolis, with intent to do any mischief, or to pilfer or to commit any crime or misdemeanor whatever, shall for every such offense, on conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding one hundred dollars and costs of prosecution, and imprisonment for a period not exceeding ninety days, either or both at the discretion of said court, and may moreover be required to give bail for good behavior.

Persons making noise, &c., punished.

SEC. 2. Any person or persons who shall make, aid, countenance or assist in making any noise, riot, disturbance, or improper diversion, and all persons who shall collect in bodies or crowds in said city, for unlawful purposes or to the annoyance or disturbance of the citizens or travelers, shall, for each offense, on conviction before the Municipal Court of the city of Minneapolis, be liable to the same fine and punishment provided for in section one of this ordinance.

Drunkenness how punished.

SEC. 3. Any person who shall be found in a state of open or notorious drunkenness or intoxication, in any street or public place within the limits of the city of Minneapolis, shall on conviction thereof before the Municipal Court of the city of Minneapolis, be liable to the punishment and penalties provided in section one of this ordinance.

Indecent conduct, exposure of person, insulting conduct and language, how punished.

SEC. 4. Any person who shall appear in any street or public or exposed place in a state of nudity, or in a dress not belonging to his or her sex, or in any indecent or lewd dress or shall make any indecent exposure of his or her person, or be guilty of any obscene or filthy act, or of any lewd, indecent, immoral or insulting conduct, language or behavior, or shall exhibit, sell, or offer to sell, any indecent, obscene or lewd book, picture or other thing, or shall exhibit or perform any indecent, immoral or lewd play, or other representation, shall upon conviction thereof

before the Municipal Court in and for the city of Minneapolis, be liable to the punishment and penalties provided in section one of this ordinance.

SEC. 5. No person shall swim or bathe in the Mississippi river, or in any creek, stream or pond, within the limits of the city of Minneapolis, between the hours of five o'clock, a. m. and half-past eight o'clock, p. m. Any person violating the provisions of this section shall on conviction thereof before the Municipal Court of and for the city of Minneapolis, be punished by a fine not exceeding twenty dollars and the costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding, however, thirty days.

Bathing within limits of the city prohibited when.

SEC. 6. Any person who shall inhumanely, unnecessarily, cruelly or wantonly beat, injure, or otherwise abuse any dumb animal, within the limits of the city of Minneapolis, shall be punished by a fine not exceeding twenty-five dollars and costs of prosecution, upon conviction thereof before the Municipal Court of the city of Minneapolis, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Cruelty to animals how punished.

SEC. 7. All ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed.

SEC. 8. This ordinance shall take effect and be in force from and after its publication.

Passed May 7, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 8, 1877.

JNO. DE LAITTRE,
Mayor

VIII.

AN ORDINANCE

CONCERNING DOGS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. Every owner or keeper of a dog or animal of the dog kind, within the limits of the City of Minneapolis, shall annually, on or before the thirtieth day of April, cause the same to be

Owners of dogs shall pay license.

registered, numbered, described and licensed for one year from the 1st day of the ensuing May, in the office of the City Clerk of said city, and shall pay therefor to the City Clerk the sum of one dollar and twenty cents for each male dog and two dollars and twenty cents for each female dog.

Clerk shall furnish a tag when.

SEC. 2. The City Clerk of said city shall in the matter of issuing such licenses, perform all duties and be entitled to all fees prescribed and fixed by the general laws of the state and shall also, at an expense not exceeding five cents each, which he shall pay out of the license received by him in each case before he turns the same over to the treasurer, provide and furnish for each licensed dog a metallic tag, on which he shall have stamped or engraved the register number of the dog and the year when registered.

Owner shall keep a collar on his dog.

SEC. 3. Every owner or keeper of a dog or animal of the dog kind, within said city, shall place and keep around the neck of the dog or animal owned or kept by him, a collar, on which shall be securely fixed the metallic tag above mentioned, and also a metallic plate, not less than three fourths of one inch in width, with the name of the owner or keeper legally stamped or engraved thereon.

Dogs shall not run at large when.

SEC. 4. No person having the custody or control of any dog or animal of the dog kind, shall permit the same to go upon any street in said city, or to run at large within the limits of said city, unless it wear the collar above prescribed.

Dog may be killed when.

SEC. 5. It shall be lawful for any person to kill or destroy any dog or animal of the dog kind, found running at large within the limits of this city contrary to the provisions of this ordinance.

No ferocious dog shall be kept.

SEC. 6. No person shall keep or suffer to be kept on his premises or on premises occupied by him within said city, nor permit nor suffer to run at large in said city, or on any street thereof, any dog of a ferocious or vicious character, habit, or disposition, nor any in the habit of barking at, or in any manner annoying any person passing along in or using the street or streets of said city, and the Chief of Police, or any person, is hereby empowered to kill, or cause any such animal to be killed if found in any street, or at large in said city.

Mayor may require dogs to be muzzled when.

SEC. 7. The Mayor may, by order and notice published three days in succession in the official paper of the city, require that all dogs running at large or in the streets of the city, be muzzled in such manner as the notice may prescribe, until the order be revoked. Any person having the care or control of a dog within said city, whether the owner or keeper or otherwise, who shall refuse or neglect to comply with such order, shall be punished as provided in section fonrteen, of this ordinance.

Mayor may appoint dog killer.

SEC. 8. The Mayor is hereby authorized to appoint a dog killer, who shall possess police powers, and hold office during the pleasure of the Mayor, not exceeding the term of office of the latter officer.

SEC. 9. It shall be the duty of the dog-killer to capture and convey to a dog pound which shall be located by the Chief of Police, all dogs not properly licensed, collared and tagged, and to keep them with kind treatment and sufficient food and water for their comfort, at least three days, unless sooner reclaimed by their owners. Duties of dog killer.

SEC. 10. The dog-killer shall, before he releases any impounded dog, be paid by the owner or claimant thereof, the sum of one dollar, and the latter shall exhibit a license for the animal, signed by the City Clerk. May kill dog when.

SEC. 11. At the expiration of three days from the time any dog is impounded, and still remains unclaimed, the dog-killer shall slaughter the animal, under the direction of the Chief of Police, bury the remains, and for such services the dog-killer shall receive the sum of one dollar upon the presentation of his bill to the City Council, approved by the Chief of Police, the same to be paid out of the general city fund. Fees of dog killer.

SEC. 12. The dog-killer shall receive no payment for services or expenses other than herein before provided.

SEC. 13. No person shall in any manner molest, hinder or interfere with the dog-killer or any person in his employ, while in the discharge of the duties herein imposed on him. No person shall molest dog killer.

SEC. 14. Whoever disobeys or violates any provision of this ordinance, shall, on conviction therefor, be punished by a fine not exceeding ten dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid not exceeding fifteen days. Penalty.

SEC. 15. The certain ordinance, entitled, "An Ordinance Concerning Dogs," approved May 8th, 1877, and all ordinances and parts of ordinances inconsistent with this ordinance are hereby repealed. Repeal of all former ordinances.

SEC. 16. This ordinance shall take effect and be in force from and after its publication.

Passed, April 5th, 1882.

MATT WALSH,
Vice President of the Council and President pro tem.

Attest:

SELAH MATHEWS,
City Clerk.

Approved April 6th, 1882.

A. C. RAND,
Mayor.

IX.

AN ORDINANCE

REGULATING BOWLING SALOONS AND BILLIARD TABLES.

The City Council of the City of Minneapolis do ordain as follows:

Shall be closed every Sunday.

SECTION 1. Every bowling saloon, nine or ten pin alley, and every billiard room, shall be and remain closed during the whole of every Sunday; and no owner, proprietor, lessee, or other person having the control or charge of any bowling saloon, nine or ten pin alley or billiard table, shall permit the same to be used upon any Sunday.

Penalty.

SEC. 2. Any person who shall violate any provision of this ordinance shall, on conviction thereof, be punished by fine not exceeding fifty dollars and the costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding sixty days.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed June 21st, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved June 25th, 1877.

JOHN DE LAITTRE,
Mayor.

X.

AN ORDINANCE

CONCERNING POUNDS.

As Amended June 27th, 1879.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. There shall be three public pounds in the city of Minneapolis, each to be placed under the care and direction of a pound-keeper, to be appointed by the City Council; said pound-keepers shall hold their office for one year, and until their successors have been appointed and qualified, and shall be entitled to such compensation as the City Council may determine. Pound-keeper may be appointed when.

SEC. 2. No horse, sheep, goat, swine, mule nor cattle of any kind, nor any poultry, turkeys, chickens or geese shall be permitted to run at large within the city, nor be herded or pastured in or upon any street of said city, nor be permitted to graze or feed in said streets, except in such parts of said streets as are in front of or adjoin lands owned or occupied by the owner or keeper of the animal grazing or feeding therein, and if found running at large or grazing or feeding in the street or walking upon any sidewalk, except as above, each and everyone of the animals aforesaid may be impounded in any public pound in the city, from which they shall not be released until the owner or owners thereof shall pay the pound keeper having such animal or animals in charge a fee of fifty cents for each and every animal so impounded, and also any reasonable expense of said pound keeper in the taking up and for the suitable and proper maintenance of such animal during the time the same shall have been impounded, and any owner of the animal above specified or any person in whose charge the same may be, who shall permit the same to run at large within the limits of the city of Minneapolis, or to feed or graze within the said streets of said city contrary to the provisions of this ordinance shall on conviction thereof before the Municipal Court for said city, be punished by a fine not less than five and not exceeding fifteen dollars and costs of prosecution. May be impounded when. May be released when. Penalty.

SEC. 3. It shall be the duty of the pound-keeper to provide proper and necessary sustenance for animals so impounded, and the reasonable cost for providing such sustenance for such animals shall be paid to the pound-keeper before such animals shall be re- Duties of pound-keeper.

leased from the pound; and it shall be lawful for any such pound keeper to sell at public vendue to the highest bidder for cash, any animal or animals impounded as aforesaid, at any time after the expiration of four days from the time they shall be so impounded, the said pound-keeper to not give less than three days' notice of the time and place of sale and description of the animals to be sold, by publishing said notice three times in the official paper of the city, and by posting three written or printed or partly written or printed notices in three different conspicuous public places in the city of Minneapolis, one of which shall be at the County Court House, for posting which notices the pound-keeper shall be entitled to charge twenty-five cents each, and also the expenses for printing said notice, before such animal shall be released.

May sell animals when.

When notice given.

Provided, That if any such animal is redeemed, or payment or tender made for that purpose by the owner or his agent of the pound-keeper's fees, together with the reasonable expenses of impounding the animal, and the expenses of sustenance thereof while impounded, and advertising any time before such animal or animals are actually sold, the same shall not be sold, but released by the pound-keeper. The pound-keepers shall each render to the City Council and file with the clerk thereof on the first Monday of each month a true statement of all fees and money received by them, either for penalties or charges of any and all kinds on account of animals impounded during the preceding month, and shall at the same time each pay over to the City Treasurer all moneys collected by him by virtue of his office for impounding or selling animals and all fees received by him, and shall be credited his actual disbursements for the custody of animals impounded.

May be released when.

Pound-keepers to report to City Council.

SEC. 4. Whenever any animal shall be sold as herein provided, and shall not bring enough to pay the fee, charges and penalty, as herein provided, the same may be recovered from the owner of any such animal or person having the same in charge and permitting such animal to go at large, by a suit before the Municipal Court of said city, in the name of said city; and the amount received to be paid into the treasury of said city.

Fees how recovered.

SEC. 5. Any person or persons who shall break open, or in any manner directly or indirectly advise, direct, or aid in breaking open any city pound, shall on conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding fifty dollars and not less than twenty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Penalty for breaking pound.

SEC. 6. Any person or persons who shall hinder, delay, or in any manner obstruct or interfere with any pound-keeper, or person employed by him, while engaged in driving or taking to

Penalty for hindering pound-keeper.

the city pound any animal or animals liable to be impounded in the city pound, as in this ordinance provided, shall for such offense, on conviction thereof before the Municipal Court of said city, be punished by a fine of not less than ten nor more than fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

SEC. 7. Any pound-keeper in this city who shall neglect or refuse to take up, distrain, or impound any animal mentioned in this ordinance as liable to be impounded, known to him to be running at large contrary to the provisions hereof, or who shall neglect to make diligent search for such animals, shall, on conviction thereof before the Municipal Court of said city, be punished by a fine of not less than twenty-five nor more than fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days; and it shall be the duty of the pound-keeper, upon notification that animals are running at large at any place in the city contrary to the provisions of this ordinance, to proceed immediately to such place and take up and impound such animals.

Penalty for refusing to perform duty.

SEC. 8. Any animal sold under the provisions of this ordinance, the value of which shall be twenty dollars and upwards, may be redeemed from the purchaser at any time within thirty days from the sale thereof, upon payment of the publication money and five per cent. in addition thereto, and all the reasonable cost and charges of keeping the same after the sale, over and above the value of the use of the same.

Redemption of animals when.

SEC. 9. This ordinance shall take effect and be in force from and after its publication.

Passed May 7th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 8th, 1877.

JNO. DE LAITTRE,
Mayor.

XI.

AN ORDINANCE

TO PUNISH VAGRANTS.

The City Council of the City of Minneapolis do ordain as follows :

SECTION 1. Any person found within the city limits of the city of Minneapolis, loitering about saloons, taverns, dram shops, or houses of ill-fame, or wandering about the streets, either by day or night, and not having any known place of residence, or any visible means of support, and not being able or willing to give a satisfactory account of himself or herself, such person may be arrested and brought before the Municipal Court, and upon conviction thereof, may be punished by a fine not exceeding thirty dollars and costs of prosecution, and in default of payment thereof may be imprisoned until such fine is paid.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed May 7th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 8th, 1877.

JNO. DE LAITTRE,
Mayor.

XII.

AN ORDINANCE

RELATING TO CERTAIN NUISANCES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no hog, pig or swine shall be kept within the city of Minneapolis, in any sty, pen or enclosure situated within the distance of seventy-five feet from the dwelling house, store or shop of any person other than the owner of such animal; nor within the distance of seventy-five feet from any public street in said city.

Hogs not to be kept within seventy-five feet of dwelling houses.

SEC. 2. That no human body shall be buried at any place within the limits of said city except in a public cemetery, nor placed in any vault outside of a public cemetery in said city without written permiss on therefor first obtained from the Board of Health of said city.

No human body to be buried within city limits

SEC. 3. That no person shall, within the limits of said city, leave in the ground covered up with earth or with any material, the contents of any privy, or other vault or excavation, containing odure or other filth.

Filth not to be buried within city limits.

Sec. 4. Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof, be punished by a fine not exceeding fifty dollars and costs of prosecution, and be imprisoned until such fine and costs are paid, not exceeding sixty days.

Penalty.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed August 15th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved August 17th, 1877.

JOHN DE LAITTRE,
Mayor.

XIII.

AN ORDINANCE

RELATING TO THE TAPPING OF SEWERS AND WATER MAINS, AND REGULATING THE LAYING OF SERVICE PIPES TO CONNECT THEREWITH.

The City Council of the City of Minneapolis do ordain as follows:

Permits for tapping sewers how granted.

SECTION 1. No person other than an authorized officer or employe of the city, or of the Board of Water Commissioners of said city, shall be permitted to tap or make any perforation or opening of any kind in any sewer or water main or in any public or private service pipe, or public or private branch sewer or drain leading to or from, or which may lead to or from any water main or main sewer in the city of Minneapolis.

Conditions upon which permits may be given.

SEC. 2. No person shall be permitted to use any service pipe or drain for the purpose of having the same connected with any sewer or branch sewer, water main or service pipe, or to dig into or make any excavation in any street or alley in said city for the purpose of laying or repairing any such service pipe or drain, until he shall have first procured a license therefor, and have given bonds as hereinafter provided. In case of service pipe to be connected with any water main, the same shall in all cases be a lead pipe between the water main and the curb line. It shall require a separate license in each case, one to authorize the repairing or laying of service pipes connected with or to be connected with water mains to excavate therefor, and one to authorize the repairing or laying branch sewers or drains connected with or to be connected with main sewers and to excavate therefor. Each license granted under the provisions of this ordinance shall remain in force until the first Monday in May next succeeding the granting thereof and no longer.

License to expire when.

Licenses by whom granted.

SEC. 3. Licenses for the purpose mentioned in the preceding section shall be granted by the City Council, but before any license is granted authorizing any one to repair or lay any service pipe connected with or to be connected with any water main or to excavate therefor, the party applying for the same shall procure and present to the City Council the recommendation of the Board of Water Commissioners of said city, made at some official meeting, and certified by the secretary of said board. After a license has

been granted by the City Council as herein provided, it shall issue in the manner provided by ordinance for the issuing of other licenses upon the filing of the bonds hereinafter provided.

SEC. 4. Before any person shall receive any license herein provided for to perform any act pursuant to any grant of such license, he shall file with the city Comptroller of said city a bond, with two sureties, to be approved by said Comptroller, in the sum of two thousand dollars, conditioned to make good all damages occasioned by any defect in the construction of any such service pipe or drain, or by so locating the same as to be liable to damage by frost, and also to indemnify and save said city harmless from all damage occasioned by any excavation in any street or alley made by the party receiving such license, or by any failure to maintain proper guards or signals at such excavations during the construction thereof, or from any failure to refill such excavation in such manner as to leave such street in safe condition for travel at the place of such excavation, and shall also pay the City Clerk a fee of two dollars for making and recording such license.

Bond to be given before license granted

Conditions of bond.

SEC. 5. Whenever any such licensed person shall desire to have any service pipe or drain, connected with any water main or sewer, or with public or private service pipe or public or private branch sewer or drain he shall notify the Superintendent of water works, in case of water main, and the City Engineer in case of sewer and shall have all excavations and preparations for making such connections in readiness at a time to be fixed by such superintendent or engineer or some other person authorized therefor, shall be present to make such connections. Such applicant shall pay before such connection shall be made, such sum as shall be fixed by said superintendent or engineer, as the actual cost of making such connection, including the time of the person, making the same, going to and returning, as well as waiting for excavation or preparations for such work, but in no case shall such payment be less than one dollar. In case the connection desired be with a private service pipe, branch sewer or drain, such applicants shall also furnish said superintendent or engineer, as the case may be, with a written permit from the owner thereof for the making of such connection.

Superintendent to be notified when.

City engineer to be notified when.

Parties to pay costs of excavation.

SEC. 6. Every person performing any work under such license, shall in respect to the material to be used, size and strength of pipe, manner of laying, and the kind and location of stop-cocks to be inserted and the curbs or guards therefor to be used in connection with water mains, comply with and abide by all regulations of said Board of Water Commissioners and the superintendent or other officer in charge of such water works, and in case of sewer connections, and in the manner of making and refilling all trenches and excavations in said streets, obey the directions of the city en-

Rules of Board of Water Commissioners to be complied with.

gineer or such other officer or inspector as may be authorized to supervise such work in behalf of said city, and in all cases a refilling of trenches or excavations in any street shall be done by either wetting or ramming the same, that all material removed from such excavations, except stone, shall be replaced therein in such way as to leave no elevation or obstruction in such street, and in case of any lack of material to refill such excavation or trenches, good gravel shall be supplied to complete the same, and wherever any improvement shall have been made in the material of the surface of any street by graveling, paving or macadamizing such surface material shall be carefully saved and replaced in the surface of such street, and said street restored as nearly as may be to the condition in which it was previous to such excavation.

Directions of city engineer to be obeyed.

SEC. 7. Whoever violates any of the provisions of section one, or of section two of this ordinance, shall, on conviction therefor, before the Municipal Court of said city, be punished by fine not exceeding twenty-five dollars, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Penalty.

SEC. 8. This ordinance shall take effect and be in force from and after its publication.

Passed February 8th, 1882.

C. W. CLARK,
President of the Council pro tem.

Attest:
SELAH MATHEWS,
City Clerk.

Approved February 20th, 1882.

A. C. RAND,
Mayor.

XIV.

AN ORDINANCE

AUTHORIZING AND REGULATING STREET RAILWAYS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Minneapolis Street Railway Company be and is hereby granted, during the term of its charter, the exclusive right and privilege of constructing and operating a single or double track for a passenger railway line, with all necessary tracks for turnouts, side tracks and switches, in such streets of said city as the City Council may deem suited to street railways, subject to the terms, conditions and forfeitures hereinafter contained; provided that the City Council reserves the right to limit the said company to the construction of a single track upon such street or streets as it may deem proper.

Single or double track.

Right of Council to limit company to single track.

SEC. 2. The aforesaid grant is upon the express condition that within four months from the passage of this ordinance the said company shall construct and put in operation a line of railway extending from the St. Paul and Pacific railroad crossing on Fourth Avenue North, W. D., along Washington Avenue to Hennepin Avenue; thence on Hennepin Avenue to and across Suspension bridge and Nicollet Island, up Central Avenue, E. D., to Fourth Street, and down Fourth Street to Fourteenth Avenue South, E. D.; and provided, that within one year thereafter the said company shall construct and put in operation a line from Plymouth Avenue in the West Division along Washington Avenue to its intersection with the line at the St. Paul & Pacific depot on said Washington Avenue, and also a line from Hennepin Avenue along Washington Avenue to Twelfth Avenue South, and thence on the most practicable route to Franklin Avenue, and that the line from Plymouth Avenue North to Franklin Avenue South shall be constructed as one line; and, provided further, there shall be no forfeiture by reason of delay in completing the first line on account of the inability of said company to do within the said four months because of the said bridges not being built or repaired suited to receive the railway.

Conditions as to what track and lines shall be built.

SEC. 3. The City Council may at any time designate any other line of railway in the said city as a line demanded by the public necessities, and may also designate an extension of any existing line or lines; and in case said company, upon being notified of such designation, shall not within such reasonable time as shall be fixed by the City Council, construct and put in operation such line, then the City Council may charter to any other company the exclusive right to construct and operate a street railway in the street or streets so designated. And in case the said Minneapolis Street Railway Company shall at any time neglect to keep in operation any line of railway which it may have constructed, then upon such reasonable notice as the City Council may prescribe, said company shall forfeit the exclusive right herein granted, so far as the same pertains to such neglected line; and the City Council may grant the exclusive right to any other person or company to build and operate a street railroad upon such neglected line; provided that said company shall, if required by the City Council, after being notified in writing by the City Attorney, remove or cause to be removed, the track and other materials of such neglected line within ten days after the service of said notice upon the President or Secretary of said company.

Council may designate new lines

Forfeiture.

May charter other companies when.

Neglected line and forfeiture.

Removal of track upon neglected line upon notice

SEC. 4. The cars to be used upon such tracks shall be propelled with either animal or pneumatic power as the said company deem advisable, provided that no propelling power or machinery of any sort shall be used after it shall prove to be a public nuisance; and said company may connect with any other railway upon which power is used similar to that authorized to be used on street railways by the City Council, but no locomotive, freight or passenger car, such as are usually run over the general railways of this State for the transportation of freight and passengers shall be used upon any of said tracks, unless authorized by the City Council; provided that the said Minneapolis Street Railway Company, and any other street railway company which the Council may charter under section three of this ordinance, shall each allow the other to connect with and jointly use such portions of the track belonging to each as the convenience of the traveling public may require, upon such equitable terms as may be agreed upon by the said companies, or as may be determined by the District Court of Hennepin County.

Propelling powers.

How and when track may be used by other companies.

SEC. 5. Said tracks and railway shall be used for the purpose of transporting passengers and freight, and the cars and carriages for that purpose shall be of the best style and class used on such railways in other cities; provided said company shall at all times have the right to use their track for transporting iron, ties and other material for constructing their road and keeping the same in repair, and such other purposes as from time to time may be necessary in

Tracks used for passengers and freight.

carrying out any contract or engagement that may be hereinafter entered into by and between the city of Minneapolis and said company.

SEC. 6. The track of such railway shall be laid so as to conform with the established grades of the streets on which the road may be built, whenever the same may have been graded by the city; but whenever the city shall change the grade of any street or streets, or any portion thereof, the said company shall raise or lower the track so as to conform to such change of grade; where the streets are not graded to an established grade said company shall lay their tracks so as to conform to the surface of such streets; provided that they raise or lower the same to the grade when the city shall grade the same, or any part thereof; and in case said city shall at any time pave or otherwise improve the surface of any street along which said railway may run, said company shall pave or otherwise improve the space between the rails of their tracks, unless otherwise provided by the City Council, so that it shall substantially correspond with the improvement of the street outside of the tracks, except in case pneumatic power is used, when the company shall be required to pay only so much of the expenses of paving the street as is made extra by reason of said railway; provided said company shall plank the space between the tracks and on both sides thereof at each street crossing whenever required by the street commissioner; and one plank shall be laid on the outside of each rail, and on the inside when it shall be ordered by the City Council; and provided further, that the City Council hereby reserves the right to designate the style of rail to be laid by said company through the streets of the city.

Track how laid

Paving and repair.

Plank outside rail.

SEC. 7. The said city of Minneapolis shall not be held liable to said company for any damage that may be occasioned by the breakage of any gas or water pipes, or from any delays that may be occasioned by the construction of sewers, laying of water or gas pipes, or from the improvement or repair of any street, unless there be unreasonable delay in making such repairs. The city of Minneapolis hereby reserves the right to take up and remove the rails of said road whenever it shall be necessary for the repair or improvement of the streets, or for laying water or gas pipes or sewers, or for other public purposes on the streets of which such rails may be laid, and such repairs or improvements or works shall be made by the city without unnecessary delay, and the track of said road shall be taken up and relaid by and at the cost and expense of said company whenever the Council may require the same to be done.

Damages.

Right of city to take up track.

SEC. 8. The said company may regulate and establish and regulate the rate to be charged by the said companies, their successors and assigns, for the transportation of passengers and freight at

How regulated by city.

the expiration of five years from the approval of this ordinance, and every five years, thereafter, fixing the same at such rates as the City Council of said city may deem just and reasonable; provided that the city shall not reduce the passengers' fare below five cents over any one continuous line, and what shall be considered a continuous line may be designated by the City Council of the said city but the said Council shall not designate any such continuous line to be more than three miles in length.

Continuous line.

Police regulations.

SEC. 9. The Council of the city of Minneapolis hereby reserves the right to make all necessary and usual police regulations concerning the operation and management of said street roads during the continuance of the rights and privileges hereby granted.

Track to be laid in the centre of the street &c.

SEC. 10. Said tracks shall be laid in the center of the street in all cases where it is practicable to so lay them, and said tracks shall not be laid within twelve feet of the sidewalk upon any street in any case where it is practicable to be avoided; and said company shall keep the space between the rails in proper repair, so as not to interfere with travel over the same, and shall keep the same in proper order as to cleanliness at its own cost and expense.

Cars entitled to the track.

Fine, &c.

SEC. 11. The cars of said company shall be entitled to the track, and in all cases where any team or vehicle shall meet or be overtaken upon either of the street railways in said city, such team or vehicle shall give way to such car; nor shall any person wilfully obstruct, hinder or interfere with any of said railway cars by placing, driving, or stopping, or causing to be placed, or driven in a slow pace, or stopped, any team, vehicle or other obstacle in, upon, across, along, or near the track of said railway, or either of them, after being notified by the driver or conductor, by the ringing of the car bell, or otherwise; and whoever shall wilfully violate any of the provisions of this section, shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not more than fifty nor less than five dollars, and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Number of cars to be run.

Signal lights.

SEC. 12. It shall be the duty of the company to furnish and run a sufficient number of cars to accommodate the traveling public, on all streets which they shall use and occupy for railway purposes. All cars shall carry signal lights after dark.

Damages to streets and sidewalks.

SEC. 13. It shall be the duty of said company to repair any and all damages done to the streets, curbs, sidewalks, gutters, or other public property, by the construction or repairing of the tracks along the streets, as herein provided for; and further, to protect and save harmless the city of Minneapolis against claims or damages arising from the construction or management of tracks and roads provided for herein.

SEC. 14. Authority is hereby conferred on, and said company is hereby required to lay double tracks over and across such bridges as may be on any of the streets occupied by them, when so required by the City Council; said tracks on said bridges to be laid in such manner as the Committee on Roads and Bridges shall authorize and direct. Double track on bridges.

SEC. 15. The said Minneapolis Street Railway Company is hereby obligated to make such equitable and mutual terms (as the Councils of St. Paul and Minneapolis may determine) with the Street Railway Company of St. Paul, or such other company as may have the right to operate the street railway in St. Paul, as shall allow each of said two companies to run their cars into the business centers of each of said cities, over the tracks of each other without change of cars between the two cities. Terms to be made with the street railway company of St. Paul.

SEC 16. The cars or carriages of the company shall be run upon and along the tracks of said railway company in conformity with the following rules and regulations; provided, that nothing herein contained shall be construed as limiting the police powers of the City Council, as granted in section 9 of this ordinance, to-wit: Rules for running cars.

(1) No car shall be run at a greater rate of speed than six miles an hour. Speed.

(2) While cars are turning corners or crossing bridges, the horses or mules, attached thereto shall not be driven faster than a walk, or if other motive power is used, not faster than three miles an hour. Crossing bridges or turning corners.

(3) Cars driven in the same direction shall not approach each other nearer than a distance of two hundred feet, except in cases of unavoidable necessity or accident, or when cars are near or at stations. Distance cars shall be kept apart.

(4) No car shall be left to remain standing on any street at any time, unless the same is waiting for passengers, or is unavoidably detained. Time cars may stand on the street.

(5) No car shall be allowed to stop on a cross walk nor in front of any intersecting street, except to avoid collision or to pevent danger to persons in the street, or to take in or leave off passengers. Cross walks.

(6) The conductors and employes employed by said company shall use all reasonable care and diligence to prevent injury to persons, and on the appearance of danger to any one on or near the track, the car shall be stopped, when by so doing such injury may be averted. Care to prevent injury to persons.

(7) All proper care shall be used by conductors and employees to prevent injury to teams, wagons, carriages and other vehicles. Injury to teams.

(8) The conductor shall use proper diligence to prevent ladies or children under twelve years of age from leaving or entering the cars while in motion. Leaving cars while in motion.

Call name of streets.

(9) Conductors shall annouce to passengers in a distinct tone the names of all streets crossed as the cars approach such cross streets, and they shall observe the same rule when nearing the track of any other railway company.

Time cars may stand at stations.

(10) No cars shall remain standing at any of the stations more than ten minutes, except at each end of the lines and the stations nearest the passenger depots of any other railway companies, at which excepted stations they may stand a longer time.

SEC. 17. Within thirty days from the publication of this ordinance said company shall file with the City Clerk a written acceptance of the grants hereinabove made, with the conditions, regulations and limitations above expressed, signed by the President and Secretary of said company; and when so accepted the ordinance shall operate as a contract between the city and said company, and upon failure to file such acceptance as aforesaid, then the above grant shall not become operative to vest any rights, privileges or franchises whatsoever.

Acceptance.

Time to take effect.

SEC. 18. This ordinance shall take effect and be in force from and after its publication.

Passed July 9th, 1875.

W. E. JONES,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved July 17th, 1875.

O. C. MERRIMAN,
Mayor.

XV.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO CONSTRUCT A LINE OF STREET RAILWAY FROM THE CROSSING OF WASHINGTON AND HENNEPIN AVENUES TO PORTLAND AVENUE.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Minneapolis Street Railway Company is hereby authorized to construct, maintain and operate a line of its road beginning at the crossing of Washington and Hennepin Avenues and running up Hennepin Avenue to Eleventh or Twelfth Street, and thence down Eleventh or Twelfth Street, as the said company may deem most practicable to Portland Avenue, subject however to all the conditions and limitations contained in an ordinance passed July 9th, 1875, and approved July 17th, 1875.

Authorizing line from crossing of Washington and Hennepin avenues to Portland avenue.

SEC. 2. This ordinance shall take effect from and after its publication.

Passed June 21st, 1876.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved June 23d, 1876.

A. A. AMES,
Mayor.

XVI.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO LAY THEIR TRACK ON PORTLAND OR NICOLLET AVENUES FROM TWELFTH STREET, AND TO OPERATE THE SAME BY STEAM POWER.

The City Council of the City of Minneapolis do ordain as follows:

Authorizing line out Nicollet or Portland avenues to ci y limits.

SECTION 1. The Minneapolis Street Railway Company, or its successors or assigns, are hereby authorized to construct and maintain a street railway line on Portland or Nicollet Avenues from Twelfth Street to the south line of the city limits and to operate the same by steam power; subject, however, to the conditions and limitations contained in an ordinance passed July 9th, 1875, providing for the organization and regulation of street railways, except so far as the same is hereby amended or repealed.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed June 21st, 1876.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk

Approved June 23d, 1876.

A. A. AMES,
Mayor.

XVII.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO CONSTRUCT A STREET RAILWAY ON CERTAIN STREETS AND AVENUES OF THE CITY OF MINNEAPOLIS.

As Amended July 8th, 1878.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Minneapolis Street Railway Company, its successors or assigns, are hereby authorized to construct and maintain a Street railway line upon and over the following named streets and avenues in the city of Minneapolis, viz: Commencing at the intersection of Nicollet Avenue with First Street; running thence upon First Street to First Avenue South; thence upon First Avenue South to Thirteenth Street; thence upon Thirteenth Street to Nicollet Avenue, and thence upon Nicollet Avenue to the southern limits of the city, with all turnouts, switches, turntables and other appurtenances which may be convenient; and to operate such line of railway with animal, steam or other power.

Authorizing line of railway from Nicollet avenue on First street to First avenue south thence to Nicollet avenue thence to city limits.

Provided, however, that the City Council of said City shall have the right, at any time, to prohibit the use of steam upon any part of said line, whenever it shall deem that the public good will be served by such prohibition.

City Council may prohibit use of steam.

Provided, further, That said line of Street Railway shall be completed in one year from the first day of July, A. D. 1878.

SEC. 2. That the Minneapolis Street Railway Company, its successors and assigns, in the construction, maintenance and operation of said line of Street Railway shall at all times be subject to all the conditions, limitations and other provisions of an ordinance of said city entitled "An ordinance authorizing and regulating Street Railways in the city of Minneapolis," passed July 9th, 1875, and the City Council and City Government shall have all powers respecting said Street Railway Line, which is retained under the provisions of said ordinance, with reference to the lines of Railway mentioned therein.

To be subject to conditions of ordinance passed July 9th, 1875.

Time to take effect.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed the Council, July 3d, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved July 10th, 1878.

A. C. RAND,
Mayor.

(See ordinance 19.)

XVIII.

AN ORDINANCE

GRANTING THE MINNEAPOLIS STREET RAILWAY COMPANY A RIGHT OF WAY UPON AND ALONG CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Authorizing Street Railway Co to extend road from corner of Twelfth street and Hennepin avenue out Janes street and Hawthorne avenue to city limits.

SECTION 1. That the Minneapolis Street Railway Company is hereby granted the right to extend and operate its line of street railroad from the intersection of Hennepin Avenue with Twelfth (12th) Street, in Minneapolis, to Janes Street; thence along Janes Street and Hawthorne Avenue to the city limits on the south side of the said city, in accordance with the provisions of an ordinance regulating street railways, passed by the City Council of Minneapolis. July 9th, 1875, and approved July 17th, 1875.

Time to take effect.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed July 16th, 1879.

A. R. CAMP,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved July 19th, 1879.

A. C. RAND,
Mayor.

XIX.

AN ORDINANCE

AMENDING SECTION ONE OF AN ORDINANCE ENTITLED "AN ORDINANCE AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO CONSTRUCT A STREET RAILWAY ON CERTAIN STREETS AND AVENUES OF THE CITY OF MINNEAPOLIS."

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That Section One (1) of an ordinance entitled "An Ordinance authorizing The Minneapolis Street Railway Company to construct a Street Railway on certain streets and avenues of the city of Minneapolis," passed on the third day of July, A. D. 1878, be and the same is hereby amended by striking therefrom the words "thence upon First Avenue South to Grant Street; thence upon Grant Street to Nicollet Avenue," and in place and stead thereof inserting the words "thence upon First Avenue South to Thirteenth Street; thence upon Thirteenth Street to Nicollet Avenue."

Changing name of street from Grant to Thirteenth street.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Time to take effect.

Passed the Council, July 8th, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved July 10th, 1878.
A. C. RAND,
Mayor

(See ordinance 17.)

XX.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO CONSTRUCT A LINE OF STREET RAILWAY THE WHOLE EXTENT OF FOURTH (4th) AVENUE SOUTH, WITHIN THE CITY LIMITS.

The City Council of the City of Minneapolis do ordain as follows:

Authorizing line of street railway out Fourth avenue south to city limits.

SECTION 1. The Minneapolis Street Railway Company is hereby authorized to construct, maintain and operate a line of its road, either single or double track, the whole extent or length of Fourth (4th) Avenue South within the city limits, or as much thereof as shall, in the opinion of said company, be required by the public demands, subject, however, to all the conditions and limitations contained in an ordinance passed July 9th, 1875, and approved July 17th, 1875.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed the Council July 19th, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved July 22d, 1878.

A. C. RAND,
Mayor.

XXI.

AN ORDINANCE

REVOKING ALL AUTHORITY HERETOFORE GIVEN FOR THE USE OF STEAM AS MOTIVE POWER ON FIRST STREET AND ON FIRST AVENUE SOUTH IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That any and all authority heretofore, by ordinance or otherwise, given to the Minneapolis Street Railway company, its successors or assigns, or to any other person, to operate any line of railways upon or over First Street or First Avenue South in the city of Minneapolis, with steam power, is hereby revoked, and the use of steam as motive power in the operation of any line of street railway upon or over said streets or either or any part of them is hereby prohibited.

Revoking authority to use steam.

SEC. 2. That permission be, and the same is, hereby given to any person who is at present using steam as motive power in the operation of any line of street railway upon or over said streets, to continue such use of steam as motive power thereon, for the purposes of a street railway only, in such manner as to be least objectionable to the public, and subject at all times to the control of the City Council of the city of Minneapolis, until such time as such person can substitute other suitable power therefor, but not longer, however, than until October 1, 1882.

Use of steam as motive power to expire Oct. 1st, 1882.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed March 22d, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved March 25th, 1882.

A. C. RAND,
Mayor.

(See ordinance 22.)

XXII.

AN ORDINANCE

AMENDING THE CERTAIN ORDINANCE OF THE CITY OF MINNEAPOLIS, ENTITLED "AN ORDINANCE REVOKING ALL AUTHORITY HERETOFORE GIVEN FOR THE USE OF STEAM AS MOTIVE POWER ON FIRST STREET AND ON FIRST AVENUE SOUTH IN THE CITY OF MINNEAPOLIS."

The City Council of the City of Minneapolis do ordain as follows:

Time for using steam changed from Oct. 1st, 1882, to April 1st, 1883.

SECTION 1. That the certain ordinance of the city of Minneapolis, entitled "An ordinance revoking all authority heretofore given for the use of steam as motive power on First Street and on First Avenue South in the city of Minneapolis," and approved March 25th, 1882, be and the same is hereby amended by striking out "October 1st, 1882," being the last words and figures of section two of said ordinance, and inserting in lieu thereof the words, April 1st, 1883.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed Sept. 30th, 1882.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved Oct. 4th, 1882.
(See ordinance 23.)

A. A. AMES,
Mayor.

XXIII.

AN ORDINANCE

FURTHER AMENDING THE CERTAIN ORDINANCE OF THE CITY OF MINNEAPOLIS ENTITLED "AN ORDINANCE REVOKING ALL AUTHORITY HERETOFORE GIVEN FOR THE USE OF STEAM AS MOTIVE POWER ON FIRST STREET AND ON FIRST AVENUE SOUTH IN THE CITY OF MINNEAPOLIS."

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the certain ordinance of the city of Minneapolis, entitled "An ordinance revoking all authority heretofore given for the use of steam as a motive power on First Street and First Avenue South in the city of Minneapolis," and approved March 25th, 1882, be and the same is hereby further amended by striking out the words "April 1st, 1883," inserted therein by amendment of September 30th, 1882, and inserting in lieu thereof the following, to-wit: June 1st, 1883.

Time changed from April 1st, 1883, to June 1st, 1883.

SEC. 2. This ordinance shall take effect and be in force, from and after its publication.

Passed March 28th, 1883.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved April 7th, 1883.
A. A. AMES,
Mayor.

(See ordinance 24.)

XXIV.

AN ORDINANCE

FURTHER AMENDING THE CERTAIN ORDINANCE OF THE CITY OF MINNEAPOLIS ENTITLED "AN ORDINANCE REVOKING ALL AUTHORITY HERETOFORE GIVEN FOR THE USE OF STEAM AS MOTIVE POWER ON FIRST STREET AND ON FIRST AVENUE SOUTH IN THE CITY OF MINNEAPOLIS."

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the certain ordinance of the city of Minneapolis entitled, "An ordinance revoking all authority heretofore given for the use of steam as motive power on First Street and on First Avenue South in the city of Minneapolis," and approved March 25th, 1882, as amended by an ordinance entitled "An ordinance revoking all authority heretofore given for the use of steam as motive power on First Street and on First Avenue South in the city of Minneapolis," and approved April 7th, 1883, be and the same is hereby amended by striking out the words and figures, "June 1st, 1883," where they occur in said amended ordinance and inserting in the place thereof the words and figures, January 1st, 1884.

Time changed from June 1st, 1883 to January 1st, 1884.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed May 28th, 1883.

C. W. CLARK,
Vice-President of the Council and President pro tem.

Attest:
SELAH MATHEWS,
City Clerk.

Approved May 31st, 1883.

A. A. AMES,
Mayor.

XXV.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS STREET RAILWAY COMPANY TO PAVE BETWEEN THE RAILS OF ITS TRACKS WITH COBBLESTONE.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Minneapolis Street Railway Company is hereby authorized to pave the space between the rails of its tracks with cobblestone, the same to be laid in a good and substantial manner, and such pavement by said company shall be deemed and accepted as a full compliance with the terms of section six of an ordinance authorizing and regulating street railways in the city of Minneapolis, passed July 9th, 1875, and approved July 17th, 1875.

Authority granted to pave space between the rails.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 26th, 1882.

A. A. AMES.
Mayor.

XXVI.

AN ORDINANCE

ESTABLISING A WOOD AND HAY MARKET IN THE WEST DIVISION OF THE CITY OF MINNEAPOLIS.

WHEREAS, It is deemed a matter of public interest and benefit that a suitable market for the sale of wood and hay be established in the West Division of the city of Minneapolis: and it is considered impracticable to purchase grounds for such market for a considerable time to come; and,

WHEREAS, Franklin Steele has proposed that he will, by the first day of November, A. D. 1877, or as soon thereafter as may be practicable, open and maintain such a market, and appropriate for that purpose suitable grounds, viz.: Lots two (2), three (3), four (4), five (5), and six (6), in block fourteen (14), in Minneapolis; also, that part of lots one (1), two (2), and three (3), in block two (2), in Steele's addition to Minneapolis, which lies between Second Avenue South and the extension to Water Street of the line which separates lots (2) and three (3), in block (15), in Minneapolis, upon condition that the city of Minneapolis shall establish upon the said premises a public wood and hay market for the period of ten years from and after the first day of November, A. D. 1877, said premises to be prepared and kept as such market free of all charge to the said city by said Franklin Steele and his assigns, he and they receiving as compensation therefor all fees and emoluments arising therefrom during the said period of ten years; and upon the further condition that said city will not, during said period of ten years, establish any other market for the sale of wood or hay within any portion of the West Division of said city, which is within the following described boundaries, viz.: Bassett's Creek on the northerly side; the Mississippi river on the easterly side; Eighth Avenue South on the southerly side, and Tenth Street on the westerly side. And,

Franklin Steele granted right to keep wood and hay market ten years.

WHEREAS, Said propositions of said Franklin Steele are accepted by the City Council of said city; therefore,

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That lots two (2), three (3), four (4), five (5) and six (6), in block fourteen (14), in Minneapolis, and that part of lots one (1), two (2) and three (3), in block two (2), in Steele's addition to

Boundaries of premises granted.

Minneapolis, which lies between Second Avenue South and the extension to Water Street of the line which separates lot two (2), from lot three (3), in block fifteen (15), in Minneapolis, be, and the same is hereby established and designated as a public market of said city for the sale of wood and hay in the West Division of said city; and that so much of Second Avenue South as adjoins the said premises as can be used as standing room for teams without inconvenience to public travel, may be so used.

SEC. 2. The City Council shall, as soon as may be after this ordinance shall take effect, appoint such proper person as may be nominated by the said Franklin Steele, or his assigns, to be Market Master of said market, who shall have charge and supervision of said wood and hay market, and superintend the same, and all weighing and measuring upon said market, and collect all fees charged for such weighing and measuring; and who may appoint and employ such assistants as he shall deem proper. Such Market Master may at any time be removed either by the owner of said market or by the City Council, and in case of removal another suitable person nominated by the owner of said market shall be appointed in his stead by the City Council; provided that Thomas Duncan, the present wood-measurer, shall be wood-measurer until May 1st, 1878, unless sooner removed by the action of the City Council and shall receive the same compensation therefor as is now allowed for measuring wood.

City Council to appoint market master.

SEC. 3. The said market place shall be kept open on every day except Sundays, and the Market Master or his assistant shall be at the said Market for the measurement of wood and weighing of hay and straw at all times between the hours of seven o'clock in the morning and half-past six o'clock in the afternoon; and he shall assign to every vehicle and team the place where it shall stand while it shall remain upon the said market, and may change the same in his discretion, giving to each a reasonable space.

Shall be kept open every day except Sundays.

SEC. 4. The person in charge of said market shall keep thereon all necessary implements for measuring wood, and also at some suitable and convenient place thereon have established and keep proper scales for weighing hay, straw and bulky articles, to be of at least sufficient capacity to weigh six tons; and the Market Master or his assistant shall, upon the request of any person and payment of his fees therefor, measure or weigh any wood, hay, straw or other articles brought to the said market to be weighed or measured.

Person in charge to keep implements for measuring and weighing.

SEC. 5. The rate of fees and charges for the measuring of wood shall be ten cents per load, and every person taking a load of wood upon said market shall at once have the same measured by the Market Master or his assistant, and receive from him a certificate of the amount of wood upon such load, dated on that day, and

Rate of fees fixed for measuring wood.

pay to the Market Master or his assistant the fee therefor; and such Market Master or his assistant shall be entitled to measure such wood and demand his fees therefor, whether requested to do so or not, as soon as any load of wood shall come upon the market. In measuring wood the Market Master or his assistant shall allow for shrinkage where the wood is crooked or loosely packed, so as to make all loads equal to straight wood packed tight.

Rate of fees for weighing hay.

SEC. 6. The rates and fees for weighing hay, straw or other articles required to be weighed shall be ten cents for each load of hay, straw or other articles, and five cents for weighing the wagon, sleigh or vehicle after it shall be unloaded; also ten cents for weighing any animal. No certificate of the weight of any load of hay or straw shall be given by the Market Master or his assistant, purporting to contain a statement of the weight of the wagon, sleigh or vehicle, or net weight of any load of hay or straw, until after the hay or straw shall actually have been unloaded and the vehicle and all tackle again weighed. All certificates of weights and measures shall be signed by the Market Master or assistant measuring or weighing the load or article. All certificates shall be either printed or written with ink.

Market master to give certificate.

All persons desiring to sell shall keep for sale at market.

SEC. 7. No person shall, in the West Division of the city of Minneapolis, keep standing for sale upon any street or on any public or private grounds, or at any other place than the said Wood and Hay Market, or any other Wood or Hay Market hereafter to be established, any load of wood, hay or straw, but shall at once proceed with the same to such Wood and Hay Market, and procure the same to be there measured or weighed before selling or offering the same for sale to any one; and shall keep the same upon said market until the same shall be sold, or withdrawn from sale.

And no person who shall bring in loads with teams, any hay, straw or wood, into the West Division of said city, either for sale or for delivery therein upon previous sale, shall either sell or deliver the same until the same shall have been first taken to such Wood and Hay Market, and been there properly weighed or measured, as the case may be;

Proviso.

Provided, That nothing in this ordinance contained shall be construed so as to require any mill wood, slabs or edgings, or any hay or straw put up in bales, to be taken to said Wood or Hay market before sale.

Market master to keep said hay and wood market in neat condition and have authority of police officer

SEC. 8. It shall be the duty of the Market Master to keep the said Wood and Hay Market in a neat and clean condition, and to observe and conform to all the directions of the City Council Committee on Markets, or the Mayor of said city, relative to the order and cleanliness of said Market; and to see that all scales and measures used about the said Market are true and in accordance

with the standard of weights and measures of the State of Minnesota; and that all vehicles standing upon said Market are so placed as best to suit the convenience of the public. It shall also be the duty of said Market Master to preserve order in the said Market, and prevent and remove all obstructions and nuisances found therein; also to remove therefrom all vagrants and disorderly persons, and cause all ordinances of said city to be observed therein. And he shall have all the authority of a police officer of the city of Minneapolis to arrest and cause to be prosecuted any person who shall within said market commit any unlawful disturbance or breach of the peace, or violate any ordinance of said city, or disobey any lawful order of said Market Master, or resist him in the discharge of the duties imposed on him by this ordinance.

SEC. 9. No person shall commit any nuisance within the said market; nor shall any person therein resist the Market Master, or refuse to obey his lawful directions, or remain in the said market after being ordered by said Market Master to go away from the said market. Any person who shall violate any provision of this ordinance shall upon conviction thereof be punished by a fine not exceeding fifty dollars and the costs of prosecution and be imprisoned until such fine and costs are paid not exceeding sixty days.

No nuisance allowed.

Penalty.

SEC. 10. The Market Master of said Market shall on and after May first, 1878, be the Inspector of Fire Wood in the West Division of the city of Minneapolis, and perform all the duties required of such Inspector of Fire Wood, under the provisions of an ordinance of said city entitled, "An ordinance regulating the measurement and sale of fire wood," passed June 21st, 1873, so far as any such duties shall remain to be performed after May 1st, 1878. But the Inspector of Fire Wood appointed, or who may be appointed under the said ordinance of June 21st, 1878, shall after this ordinance takes effect, act as such only within the East Division of said city.

Market master shall be inspector of fire wood

SEC. 11. All fees received in said market or by the Market Master for duties imposed upon him by this ordinance shall belong to the said Franklin Steele, his heirs and assigns, owning the said market, he and they paying all salaries and expenses connected with the management thereof.

SEC. 12. Such portion only of said land above described may be fitted and prepared for use as a wood and hay market for the present, as the Committee on Markets shall deem sufficient; but such further portion of said land shall afterwards be prepared and fitted for such use whenever the City Council or Committee on Markets shall direct.

SEC. 13. All ordinances and parts of ordinances conflicting with this ordinance are hereby repealed.

Repeal of all former ordinances.

SEC. 14. This ordinance shall take effect and be in force from and after its publication.

Passed December 5th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEADE,
City Clerk.

Approved December 10th, 1877. JOHN DE LAITTRE,
Mayor.

XXVII.

AN ORDINANCE

IN REGARD TO SERVING NOTICES.

The City Council of the city of Minneapolis do ordain as follows:

SECTION 1. Whenever, under the charter of the city of Minneapolis or under any ordinance or resolution of the City Council of the city of Minneapolis, notices are required to be served upon the owners of real estate in said city, to construct sidewalks or to make any other improvements, or to remove or abate any nuisances, or to do any other act or thing required by such ordinance or resolution, and if such owner is a non-resident of said city, and cannot be found upon reasonable diligence and inquiry therein, a notice served upon a person acting as his agent, or the occupant of such real estate, shall be equivalent to and be deemed a service upon the owner, and if he have no agent in this city and there be no occupant on the premises that can be found upon reasonable inquiry, then a notice published in the official paper of the city for four successive weeks, shall be equivalent to a personal service upon such owner, except where notice is otherwise provided in the charter.

Notices to be served how.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed August 7th, 1872.

E. W. CUTTER,
Vice-President of the Council and President pro tem.

Attest:
THOMAS HALE WILLIAMS,
City Clerk.

Approved August 10th, 1872. E. M. WILSON,
Mayor.

XXVIII.

AN ORDINANCE

ESTABLISHING THE FIRE LIMITS, AND REGULATING THE CONSTRUCTION AND REMOVAL OF BUILDINGS THEREIN, AND THE CARRYING ON OF BUSINESS DEEMED HAZARDOUS, ON ACCOUNT OF FIRE.

With Amendments of February 6th, 1878, October 5th, 1881, October 4th, 1882, and February 7th, 1883.

The City Council of the city of Minneapolis do ordain as follows:

SECTION 1. That the following are designated as the fire limits of the city of Minneapolis, to-wit: Commencing at a point on the Mississippi river, three hundred and thirty-three feet above the northwest line of Hennepin Avenue; thence on a line parallel with Hennepin Avenue to River Street; thence along River Street to Fourth Avenue North; thence along Fourth Avenue North to Third Street; thence along Third Street to First avenue North; thence along First Avenue North to Eighth Street North; thence along Eighth Street North to Hennepin Avenue; thence along Hennep n Auenue to Ninth Street; thence along Ninth Street South to Second Avenue South; thence along Second Avenue South to Fourth Street South; thence along Fourth Street to Ninth Avenue South; thence along Ninth Avenue South to the Mississippi River; thence along said River to the place of beginning. (Additions and extensions by ordinance of February 7th, 1883): Commencing at the Mississippi River, at an extension of First Avenue Northeast to said river; thence along the center line of said First Avenue Northeast to Fourth Street; thence southeasterly along the center of said Fourth Street to the center of First Avenue Southeast; thence along the center of First Avenue Southeast, in a southwesterly direction, to Second Street; thence along the center of Second Street to Sixth Avenue Southeast; thence southwesterly along the center of Sixth Avenue Southeast, extended to the bank of the Mississippi River; thence northwesterly along the bank of the Mississippi River to the place of beginning.

Fire limits boundary of.

Lots six (6), seven (7), eight (8), nine (9) and ten (10) of block ninety-seven (97) of the town of Minneapolis, according to the recorded plat thereof, shall be excepted from and taken out of the fire limits.

No building shall hereafter be erected, enlarged or repaired within the boundaries of such Fire Limits until a permit for the erection, enlarging or repair thereof shall have first been obtained from the City Council of said city, which permit shall be issued and recorded by the City Clerk, who shall be entitled to a fee of one dollar for issuing such permit and making the record of the same.

To get permit for building.

Whenever the owners of a majority of the street frontage of any block or square, which is not included within the fire limits as prescribed by this ordinance, shall present to the City Council of said city of Minneapolis a plat of such block of square designating the owners (if known) of each and every lot, or part thereof, together with a statement in writing, signed by the owners (or their lawful attorneys) of a majority of such street frontage, stating the fact of such ownership, and that they, such owners, desire that such block or square shall be included within the "fire limits" of said city, it shall be the duty of said City Council to investigate the said statement, and if they find that such statement has been signed by a majority of the owners (or their lawful attorneys) of the street frontage of said block or square, the said City Council shall so certify on such written statement, and shall cause such statement and plat to be filed in the City Clerk's office.

Limits how extended.

The City Clerk shall thereupon give a notice in the official newspapers of the city that such block or square has been admitted within the "fire limits" of said city, and is subject to the provisions of this ordinance.

Notice to be given of extension.

Upon the filing of such statement and plat (so certified) with the City Clerk, and the publication of such notice twice in the official paper of said city, the fire limits of the city shall be held to be extended so as to include such block or square, and all the provisions of this ordinance extend to and be in force so far as such block or square is concerned.

SEC. 2. No building or structure of any kind or description shall be erected or constructed within the fire limits, as defined in section one of this ordinance, unless the outside and party walls thereof shall be not less than eight inches of brick, nor of stone less than eighteen inches, and with the exception of the front and rear walls, the inside wall of every third house shall extend above the roof at least twelve inches.

Walls thickness of within fire limits.

SEC. 3. That no building within said fire limits not constructed and built as provided in section two of this ordinance, except those now in use, shall hereafter be occupied or used, in whole or in part, as or for any of the trades, occupations or business hereinafter mentioned, to-wit: Planing mills, sash, door and blind factories, carpenter or cooper shops, wagon or carriage manufactories, cabinet

Manufacturing of hazardous materials prohibited.

or furniture manufactories, woodturning and veneering works, agricultural implement manufactories, box or shingle factories, siding mills, re-sawing or saw mills, kilns for seasoning lumber, by any other process than steam or natural heat, and that in a fireproof vault or building of the same nature. No business, whether now established or hereafter commenced, shall be conducted or carried on within the specified fire limits in which shavings or light combustible material is made, unless there is constructed in connection with every such establishment or manufactory a brick or fire-proof vault or furnace, in which all shavings, sawdust, chips or other light combustible refuse may be deposited and burned without endangering the works in which it is made, or the surrounding property; and all such refuse shall be promptly removed from the works and premises, either by burning the same or drawing it away, and shall not be allowed to accumulate, either in the works or on the premises, unless stored in a fire-proof vault, where the same may burn without causing alarm or danger to any other property. The manufacture of set ammunition, fireworks, the distillation or manufacture of naptha, coal or other inflammable oils, the manufacture or storage of excelsior, except in bales, and all other extra-hazardous avocations, are hereby prohibited within the above described fire limits.

SEC. 4. No wooden building or part of building within the fire limits prescribed in section one of this ordinance shall be raised, enlarged or repaired, except as herein provided; but any wooden building may be removed from one lot to another lot within said fire limits, provided said building shall be determined to be worth more than 60 per cent. of what it would cost to build a new building of like character; the Mayor and Committee on Fire Department West Division, to determine the value of said building; provided further, that the City Clerk shall cause an advertisement to be inserted in the official paper of said city for ten days, of the name of the party applying for such permit, the present location of the building to be moved, and the lot upon which it is proposed to move the same, and in each case give the name and number of the streets, if possible; and all remonstrances against the granting of such permits must be filed with the City Clerk before the expiration of the said ten days, and the same reported to the City Council; and after said hearing, and the same being ordered by the City Council, the City Clerk shall grant such permits. The parties applying for permits shall pay the cost of the advertisement upon the application for the same, but no wooden building shall be removed from without said fire limits into any place within said fire limits; nor shall any wooden building within said fire limits, which may be damaged, be repaired, unless a permit shall be first obtained from the City Council, and in no case shall the building be so re-

Wooden buildings may be moved when.

Persons applying for shall pay costs of permit.

paired as to be made to occupy a greater space than before the injury thereto; *Provided*, That the owners or occupants of buildings within the fire limits shall have the right to raise wooden buildings to the established grade, and also to build basements or cellars of brick or stone under the buildings so raised to grade.

Proviso.

SEC. 5. Any owner, builder, or other person, who shall own, build or aid in the erection of any building or part of building within the said limits, contrary to, or in other manner than authorized by the provisions of this ordinance, or who shall own, remove, or assist in removing any such building from without said limits into the same, or own, repair or assist in repairing any damaged wooden building contrary in either case to any provision of this ordinance, shall upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than twenty-five dollars, and not exceeding seventy-five dollars, and costs of prosecution, and may be imprisoned until both fine and costs are paid, not to exceed thirty days; and to like fine for every forty-eight hours such person shall fail to comply with the provisions of this ordinance, or continue in the violation thereof.

Penalty for violating ordinance.

SEC. 6. Any wooden building which may be erected, enlarged, removed or repaired, or in process of erection, enlargement, removal or repair, contrary to the provisions of this ordinance, shall be a nuisance; and upon information it shall be the duty of the Committee on Fire Department, West Division, after twenty-four hours notice to the owner, occupant, person in charge, or builder thereof, to abate the same, to instruct the Chief Engineer of the Fire Department, or, in case of his absence, the senior officer of the Fire Department, to raze such building to the ground. The expense thereof shall be reported by the said Committee to the City Council, for assessment, or may be collected from the owner of such building by suit, as in other action.

Wooden building declared a nuisance when

Buildings may be razed when.

Owners liable to suit when.

SEC. 7. No pipe of any stove or Franklin shall be put up unless it be conducted into a chimney made of brick or stone, and any person putting up the pipe of any stove or Franklin contrary to this section, shall, for every such offense, upon conviction before the Municipal Court of said city, be punished by a fine of not less than five (5) nor more than ten (10) dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days; and the further sum of one (1) dollar for every twenty-four hours the same shall remain put up, after notice given by any fire warden or member of the police force of said city to remove the same.

Stoves how to be put up.

SEC. 8. No lighted candle or lamp shall be used in any stable, or other place or building, where hay, straw, or other combustible materials shall be kept, unless the same shall be well secured in a lantern, and no fire shall be kept in any stove, or otherwise, in

Candle &c not to be used where.

any such building, or any room where such combustible material is kept, and any person violating any provision of this section, shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than five (5) nor more than ten (10) dollars, and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days. Penalty.

SEC. 9. Every person keeping or occupying a shop or other building, wherein shavings or other combustible materials are made, accumulated, or may be contained, shall forfeit the sum of two dollars for every neglect to clear or remove the same out of such buildings, and the yards belonging thereunto, at least twice in each week; Persons liable for allowing combustible material to accumulate when

Provided, Such buildings are situated within two hundred feet of any other building; and no stove shall be used in any such shop or building, unless the same shall be set in box surrounded with fire-proof material, with the pipe carefully set up according to the provisions hereof; and no lighted candle shall be used in any such shop or building, except they be placed in a candlestick made of material not liable to take fire; and any person violating any provision of this section shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than two (2) dollars, nor more than five (5) dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days. Proviso.

SEC. 10. No person in removing any chips or shavings, or other combustible materials, shall scatter or strew them in any street, or shall at any time direct, permit, or suffer any chips, shavings, or other combustible matter to be taken or thrown, or scattered on any street or alley. And any person violating any provision of this section shall, upon conviction thereof before the Municipal Court of said city be punished by a fine of not less than one (1) nor more than two (2) dollars, and costs of prosecution, and may be imprisoned until such fine be paid, not exceeding thirty-days. Chips or shavings not to be scattered in the streets. Penalty.

SEC. 11. No person shall carry fire in or through any street or lot, or other public or private place, except the same be placed or covered in some close or secure pan or other vessel, and any person violating any provision of this section shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than one (1) dollar nor more than two (2) dollars, and costs of prosecution, and may be imprisoned until such fine be paid, not exceeding thirty days. Fire not to be carried how. Penalty.

SEC. 12. No ashes shall be kept or deposited in any part of said city except the same shall be in a close and fire-proof vessel or brick or stone ash-room. Ashes shall not be deposited where.

SEC. 13. No chimney shall be built with less than four inches thickness, of brick or stone, completely imbedded in lime mortar, Chimney shall be built how.

and plastered on the inside with a smooth coat of the same. No flue shall in any case be less than eight by eight inches; and if intended for two full stories, not less than eight by twelve inches; and for three stories or more, not less than eight by sixteen inches. Holes for stove pipe shall have a sheet iron thimble, or other fireproof material inserted into the chimney, imbedded in mortar, and a tin or sheet iron stopper, with a flange at least one inch wide, outside of the brick. Every person who shall build or cause to be built, a chimney contrary to this section shall, upon conviction thereof before the Mnnicipal Court, be punished by a fine of not less than five nor more than ten dollars, and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days; and every owner of any chimney that shall be built contrary to this section, shall cause the same to be altered within ten days after notice shall be given by Fire Warden or any member of the police force of said city so to do, or forfeit the sum of ten dollars, and also ten dollars for every month thereafter, so long as said chimney shall remain unaltered.

Penalty.

To be altered when.

To forfeit what if not altered.

SEC. 14. No person shall build or cause to be built a chimney resting upon any part of a building liable to settle, unless such foundation is permanently connected with the rafters where the chimney passes through the roof, so that the whole may settle together, and a further sum of ten dollars for every week it shall remain after notice given by any Fire Warden or any member of the police force of said city to alter the same; and any person violating any provision of this section shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than three (3) nor more than five (5) dollars, and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Chimney shall not be built where.

Penalty.

SEC. 15. No chimney shall be commenced in any loft, unless there are fixed stairs leading to the same, easy of access at all times; and no stove pipe shall pass through more than one ceiling before entering a chimney, under a penalty of ten dollars for every week, either shall remain after notice shall be given by the Fire Warden or member of the police force to alter the same.

Chimney not to be commenced in loft when.

Penalty.

SEC. 16. Stove pipes shall not be less than four inches from any wood or other combustible materials, unless there is a double circle of tin connected together, and air holes through the connecting tin between said pipe and the combustible substance, under the penalty of three dollars, and the sum of one dollar for every three days it shall remain after notice from any Fire Warden or any member of the police force to alter the same.

Stove pipe how placed.

Penalty.

SEC. 17. All chimneys erected in any building or place, within the city, for manufacturing purposes appertaining to, used or to be used for conveying off the smoke of any steam boiler or

Chimneys of manufactories how built.

steam engine, shall be firmly and substantially built of brick or stone, or of such other material as shall be approved by the Committee on the Fire Department, and shall be erected to the height of not less than fifty-five (55) feet. Any person or persons who shall build or contract or use or occupy any chimney heretofore or hereafter built for the purpose above specified, of any other material or any other manner than above specified, shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine of not less than twenty (20) nor more than fifty (50) dollars and costs of prosecution, and may be imprisoned until such fine be paid, not exceeding thirty days.

Penalty.

Lumber yards shall not be kept where.

SEC. 18. No lumber yard, for the sale of lumber, shall be kept upon any premises within the fire limits, which are not now occupied for that purpose, under a penalty upon the person or persons for keeping the same, of ten dollars for every offense, and a like penalty for every week the same shall be allowed to remain.

Penalty.

Hatchways to have shutters. To be closed when.

SEC. 19. All buildings within the city having hatchways, hoistways, cellar openings leading from floor to floor, (except properly protected skylights) of whatever name or description, shall be provided with good and substantial shutters or doors for all such hatchways, hoistways, cellar doors or other openings, and the said shutters or doors shall be kept closed, except when in actual use, from the hours of six o'clock p. m to six o'clock a. m. of each day. All persons violating any or either of the provisions of this section shall, on conviction thereof before the Municipal Court, be punished by a fine of not less than fifty nor more than seventy-five dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding twenty days, and shall also in addition be personally liable to firemen or persons, in damages for all injuries by reason of such violation or neglect.

Penalty.

Owner liable to whom.

What articles not to be kept for sale.

SEC. 20. It shall be unlawful for any person, persons, or corporations, to store or keep for sale within the corporate limits of the city of Minneapolis, any crude petroleum, gasoline, naphtha, benzine, camphene, spirit gas, burning fluid, or spirits of turpentine, exceeding a quantity of five barrels of forty-five gallons each, and it shall be unlawful to keep for sale or on storage, any refined carbon oil, kerosene or other products, for illuminating purposes, of coal, rock or earth oils, excepting such refined oils as will stand a fire test of one hundred degrees of Fahrenheit, according to the method and directions of John Tagliabue, and it shall not be lawful to keep any quantity of said articles exceeding one barrel of forty-five gallons in any part of a building, excepting a cellar, the floor of which shall be five feet below the grade of the adjacent streets; and no crude petroleum, gasoline, naphtha, benzine, carbon oil, camphene, spirit gas, burning fluid, or spirits of turpentine, shall be kept or stored in front of any building on any street, alley,

How tested.

Petroleum, &c. not to be left in street.

wharf, lot or sidewalk, for a longer time than is sufficient to receive in store, or in delivering the same; *Provided*, such time shall not exceed six hours.

Penalty.

Any person who shall violate any of the provisions of this ordinance shall (where no other specific penalty is provided), upon conviction thereof before the Municipal Court, be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, but not exceeding sixty days.

Who may store such articles.

SEC. 21. Any person, or persons or corporation, having within the city a fire-proof warehouse detached and clear of other buildings, and at least fifty feet distant, and exclusively used for the storage of such articles as are named in this chapter, and properly ventilated for that purpose, having beneath its ground floor an open space or cellar, three feet or more in depth below the surface of the adjacent ground, on procuring the approval, in writing, of the Engineer of the Fire Department, may apply to the City Council of this city for a permit to use said warehouse exclusively for such purpose; and if the City Council, with the consent of the Mayor, shall grant such permit, then while the same shall remain in force, said parties using said warehouse shall not be subject to the foregoing section.

Permit how obtained.

SEC. 22. This ordinance shall take effect and be in force from and after its publication.

Passed the Council September 10th, 1873.

A. M. REID,
President of the City Council.

CHARLES W. JOHNSON,
City Clerk.

Approved September 11th, 1873.

A. M. REID,
Acting Mayor.

XXIX.

AN ORDINANCE

RELATING TO THE DUTIES OF CITY ENGINEER.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. It shall be the duty of the City Engineer to make or cause to be made all surveys, maps, plats and profiles relating to the streets, alleys, public grounds, levees, sewers and drains, and other improvements within the limits of the city, and such other work beyond the city limits, as the City Council or any committee thereof may direct. He shall also, when requested by the Council or any committee thereof, submit detailed estimates together with suitable specifications of any proposed public work or improvement, and shall superintend in person and carefully watch the improvements of all streets, sidewalks, sewers and culverts, and see that the same are done in conformity with the contract, ordinance or resolution authorizing the same to be done.

Duties of city engineer.

SEC. 2. He shall keep a book in which shall be recorded a map of all the streets opened, changed or vacated, with the streets adjoining to, or connected with the same to the extent at least of one block on each side, or the extremity of such street, opened, changed or vacated, with the name of such streets, and the location thereof. There shall also be written on said map the date of such opening, changing or vacating of any street, so recorded on said map, and the date of the ordinance or resolution effecting such change.

Shall keep a book in which shall be recorded a map of all streets, &c.

SEC. 3. It shall be his duty to report a grade for all streets, lanes, alley, sidewalks and public roads at the time and in the order required by the City Council, and when required to report a change in the grade of any street, he shall also report plans and estimates for grading or changing the grade thereof, as the case may be, and he shall make a suitable plat or profile of all such surveys and grades to be filed in his office for reference; to establish landmarks for surveying or grading the streets by placing stones or other monuments from which such grade or survey may be readily ascertained.

Shall report a grade for streets when.

SEC. 4. He shall carefully preserve all maps, plats, surveys, books, reports and other things pertaining to his office, all of which he shall deliver over to his successor in office within five days after

Shall preserve maps and deliver to successor when.

the expiration of his term of office, taking duplicate receipts therefor, in which receipts such property shall be specifically enumerated, one of which receipts shall be filed in the office of the City Clerk of said city.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed June 21st, 1873,

E. W. CUTTER,
Vice-President of the Council and President pro tem.

CHAS. W. JOHNSON,
City Clerk.

Approved June 24th, 1873. GEO. A. BRACKETT,
Mayor.

XXX.

AN ORDINANCE

ESTABLISHING A CITY WORKHOUSE AND PROVIDING FOR THE KEEPING OF MALE PRISONERS AT WORK IN SUCH WORKHOUSE OR UPON PUBLIC IMPROVEMENTS.

The City Council of the city of Minneapolis do ordain as follows:

County jail may be workhouse.

SECTION 1. That the county jail of the county of Hennepin is hereby established as the workhouse of the city of Minneapolis agreeably to the provisions of subdivision thirty-fifth of section three (3) of chapter four (4) of the City Charter of said city.

Male offenders may be sentenced to hard labor.

SEC. 2. Any male offender convicted before the Municipal Court of any offense subjecting such person to imprisonment under the charter or ordinances of said city may be sentenced to imprisonment at hard labor during the term of such imprisonment, and all male offenders convicted before said court of any offense under said charter or ordinances and committed for the non-payment of any fine imposed by said court may be committed to said workhouse to be kept at hard labor during the time he shall be imprisoned.

SEC. 3. Any person committed under the provisions of this ordinance shall be kept at hard labor for eight hours at least per day, except Sundays, either at said workhouse or upon the public improvements or public streets of said city, as the Mayor of said city shall determine and provide from time to time.

May be kept at hard labor eight hours each day except Sundays.

SEC. 4. The Chief of police shall from time to time detail such number of policemen as may be necessary for the duty of taking charge of such prisoners while at work and of keeping them safely in custody, and employed at the work provided for them to do.

Chief of police shall assign policemen for duty.

SEC. 5. Any person committed to said workhouse under this ordinance for the non-payment of any fine imposed by said court, shall be credited at the rate of eighty cents per day for each day he shall labor, in payment of such fine and costs of prosecution; but shall not be imprisoned for any longer time than the term for which he was committed.

Prisoner credited eighty cents per day.

SEC. 6. Whenever any person so sentenced to hard labor is unruly or disobeys any order or regulation established for the management of said workhouse or for the government of such prisoners while at work on public improvements, or disobeys the order of any officer having him in charge, or refuses to work or labor as directed by such officer, such fact shall be reported to the Sheriff of said county of Hennepin, who shall thereupon put such prisoner in solitary confinement and cause him to be fed on bread and water only for a period not exceeding twenty days for each offense.

Penalty.

SEC. 7. The Mayor of said city may from time to time direct upon what public improvements, and in what way, such prisoners shall be employed, and make such rules and regulations in respect to their labor and government while at work, as he may deem advisable.

Mayor may make rules and regulations.

SEC. 8. This ordinance shall take effect and be in force from and after its publication.

Passed the Council July 3d, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved July 10th, 1878.

A. C. RAND,
Mayor.

XXXI.

AN ORDINANCE

RELATING TO SIGNS.

The City Council of the City of Minneapolis do ordain as follows:

No person shall erect any sign except as provided.

SECTION 1. No person shall erect or maintain any sign of any kind or material nor any wooden awning except as hereinafter provided, that shall extend into or upon, or project over, any sidewalk, street or alley of said city, more than three feet.

Conditions upon which signs may be erected.

SEC. 2. Any person may erect and maintain in front of his place of business a post, to be set at the edge of the sidewalk in such manner and at such place as the chief of police may approve, upon which may be put such sign, lantern, lamp or bulletin boards, as may be desired, but in no case shall such post or any erection thereon, or appendage thereto exceed twelve inches in diameter, or extended more than six inches from the centre line of such post, and the same shall at all times be subject to removal upon the order of the chief of police whenever he shall deem the public travel to be obstructed thereby.

Provisions and exceptions.

SEC. 3. Nothing in this ordinance shall be construed to prevent any person from hanging over or across any street or sidewalk any flag or banner on the twenty-second day of Februrary, the thirtieth day of May, the fourth day of July, or any other public holiday, nor to prevent any society or organization from hanging its flags or banners on any day of any convention or public gathering of such society or organization not more than two days in any one month; but no such flag or banner shall be at any time extended over any street, alley, or sidewalk so that the same shall come within twenty feet from the road-bed thereof.

Penalty.

SEC. 4. Any person violating any of the provisions of this ordinance shall upon conviction thereof before the Municipal Court of said city be punished by a fine not exceeding fifty dollars and shall pay costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding sixty days.

May be declared a public nuisance when

SEC. 5. Every sign or other structure erected or maintained contrary to the provisions of this ordinance is hereby declared to be a public nuisance, and any officer of the police of said city may remove or abate the same without any other warrant or authority than this ordinance.

SEC. 6. All parts of ordinances inconsistent with this ordinance are hereby repealed. Repeal of former ordinances.

SEC. 7. This ordinance shall take effect and be in force from and after its publication, except in respect to such signs and structures as are now in existence, in which respect it shall take effect from and after May 1st, 1880.

Passed November 5th, 1879.

C. L. SNYDER,
Vice-President of the Council and President pro tem.

Attest:

SELAH MATHEWS,
City Clerk.

Approved November 12th, 1879. A. C. RAND.
Mayor.

XXXII.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS EASTERN RAILWAY COMPANY A RIGHT OF WAY OVER CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Minneapolis Eastern Railway Company, its successors and assigns, are hereby authorized to construct and maintain a single track of its railroad, with such switches and connections as may be necessary, upon, over and along the following described portions of streets in the City of Minneapolis, viz.: From, at or near the point where River street is crossed by the track of the railroad of the First Division of the St. Paul & Pacific Railroad Company, along said River street to Hennepin Avenue, and across Hennepin Avenue to where said River street connects with Water street; thence along said Water street to its southeasterly or lower end; and to operate such railroad with cars and engines in the usual manner. May construct and maintain single track over and along certain streets.

SEC. 2. The said Minneapolis Eastern Railway Company, its successors and assigns, in crossing said Hennepin avenue, shall construct another bridge, the full width of said avenue, and of the entire roadway leading to the suspension bridge, which bridge, so to be constructed, shall be placed on the westerly side of the bridge which covers the opening now used for the tracks of the Minneapolis & St Louis Railway Company. And such new bridge shall be constructed in such manner, and of such materials, and in accordance with such plans and specifications as the City Council of said city shall first approve of and adopt; and no such bridge shall be constructed, nor any excavation made across or under said Hennepin Avenue until the City Council shall have first specifically directed as to the manner of, and materials for, its construction, and have approved of and adopted plans and specifications therefor; and whenever such bridge shall be constructed, it shall, together with its walls, foundations and everything connected therewith, be forever maintained and kept up in the very best repairs by the Minneapolis Eastern Railway Company, its successors and assigns, who shall from time to time make such additions to, and changes and alterations about the same as may, in the opinion of the City Council, be required for the safety or convenience of the public.

The Minneapolis Eastern Railway Company shall construct a bridge.

SEC. 3 The Minneapolis Eastern Railway Company, its successors and assigns, after constructing such new bridge over said Hennepin Avenue, as is contemplated in the last preceding section, may make any contract or arrangement with the Minneapolis & St. Louis Railway Company, which can be agreed upon between them, to exchange the occupancy of the space under such new bridge, for the space now occupied by one of the tracks of said last named company, nearer the Mississippi river. But in case of such exchange, the Minneapolis Eastern Railway Company, its successors and assigns, shall still continue to keep such new bridge and everything connected therewith in repair, and do everything about the same exactly as if it continued to occupy the space under the same with its own track.

Shall keep bridge in repair.

SEC. 4. The city of Minneapolis reserves the right to enter upon those portions of said streets upon which such railroad shall be constructed, and make such excavations and do such other work thereon as may be necessary or convenient in the construction and repair of sewers, gutters, water mains, gas pipes, or other works or improvements of a public character, without being liable therefor to any claim for damages; and the Minneapolis Eastern Railway Company, its successors and assigns, shall afford all aid and facilities to said city, in doing such work, and protect such railroad during such works, and relay the same at its own expense, when such works are completed from time to time.

City reserves the right to enter upon streets to make improvements.

SEC. 5. The said Minneapolis Eastern Railway Company, its successors and assigns, shall always keep and maintain that portion of said streets along which its railroad shall be constructed, in good condition for public travel as may be needed, or as the City Council may from time to time direct; and shall keep all crossings of such streets, by other streets or avenues of said city, which now are or may hereafter be laid out across the same, planked, paved, Macadamized or otherwise put in condition, as the City Council may direct from time to time; and shall construct and maintain such bridges, over or under said railroad, as by the present or any future grade of streets so crossing, shall be convenient for public travel, and ordered by said Council; and shall always conform to such reasonable regulations as shall be made by the City Council of said city, respecting the running of cars and engines over said road, across or along such streets, and respecting precautions touching the public safety.

Shall keep and maintain streets in good condition for public travel.

SEC. 6. The aforesaid grant of right of way to the Minneapolis Eastern Railway Company, its successors and assigns, is made upon the express condition that said company, its successors and assigns, shall always in all things conform to the provisions of this ordinance, and do and perform all things whatever which are in this ordinance stated or provided for, to be done or performed on its or their part, faithfully and promptly; and on the further express condition, that any other railroad company, having a terminus in the city of Minneapolis, shall always have the right to enter upon and pass with its cars and engines, upon and over the track of said Minneapolis Eastern Railway Company, its successors and assigns, running over the streets mentioned in section one (1) of this ordinance, from a junction with such track to a point as far southeasterly of said streets as such track shall be extended in said city, upon such just and equitable terms and regulations as may be agreed upon by the parties interested; and in case they cannot agree upon such terms and regulations, then the City Council shall have the power by resolution, ordinance, or otherwise, to fix such terms and regulations, and change the same from time to time.

Conditions of grant of right of way.

Provided, That if said Minneapolis Eastern Railway Company, its successors or assigns, shall exchange the use or occupancy of tracks or of space for tracks as is provided for in section three (3) of this ordinance, then the last above mentioned condition shall apply to the track which shall be used and occupied by the Minneapolis Eastern Railway Company, its successors and assigns, upon such exchange, and not to the one which they shall by such exchange turn over to the Minneapolis & St. Louis Railway Company.

SEC. 7. If the Minneapolis Eastern Railway Company, its successors or assigns, shall at any time wilfully fail, neglect or refuse

to conform to the provisions of this ordinance respecting the construction or repair of bridges, or the condition in which such streets are to be put and kept, and such failure, neglect or refusal shall continue for the space of thirty days after notice from the City Council, or from any officer of the city by direction of said Council requiring them to conform to the provisions hereof in the matter, the City Council of said city shall have, and does hereby expressly reserve the right and power in such case to declare all rights of the Minneapolis Eastern Railway Company, its successors and assigns, acquired under this ordinance, or under any amendment, express or otherwise, of this ordinance, forfeited, by reason of such failure, neglect or refusal; and thereupon and thereafter all such rights shall cease, end and determine.

City Council may declare all rights forfeited when.

SEC. 8. If said railway track shall not be built and the cars running thereon, as far southeasterly as the southeasterly end of Water Street, and thence along the Mississippi river as far as where the Palisade Mill now stands, within nine months from the passage of this ordinance, then all rights and privileges granted by this ordinance shall lapse, end and determine, and this ordinance cease to be operative so far as it grants any rights or privileges, without any declaration or forfeiture or other act whatever.

Limitation in which to complete road.

SEC. 9. The city of Minneapolis in no wise warrants any of the rights or privileges herein granted, or which is intended to be herein granted; and it is not to be subjected to any claim for damages on account of any matters herein contained.

City does not warrant rights or privileges herein granted

SEC. 10. The provisions of this ordinance shall not be so construed as to take away or infringe upon the rights and privileges which have been heretofore granted, by ordinance, to the Minneapolis & St. Louis Railway Company.

Ordinance not to infringe upon rights of St. Louis Railway Company.

SEC. 11. The Minneapolis Eastern Railway Company, its successors and assigns, in the construction of the bridge provided for in section two (2) of this ordinance, and in all its constructions and repairs upon streets and bridges, shall so perform its work as not to hinder nor unnecessarily impede public travel, and shall take all proper precautions, by fencing and lighting excavations and obstructions, to guard against dangers of accidents to the public; and shall indemnify and save harmless the said city against all claims for damages or injuries caused by reason of any failure to take such precautions.

Work not to hinder public travel.

SEC. 12. This ordinance shall take effect and be in force from and after its publication.

Passed the Council July 19th, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved July 25th, 1878.

A. C. RAND,
Mayor.

XXXIII.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS EASTERN RAILWAY COMPANY A RIGHT OF WAY UPON AND ACROSS CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Minneapolis Eastern Railway Company, its successors and assigns, are hereby authorized to construct and maintain one or more tracks of its railroad, not exceeding two tracks, upon and across such streets in the city of Minneapolis as may be included or crossed in a line of railroad described as follows, viz.: Commencing at a point on the west bank of the Mississippi river where the easterly line of Second Avenue South, if extended to said river, would intersect the center line of the right of way of said Company already located; thence running easterly parallel with and thirteen feet distant northerly from the center line of the track of the Minneapolis & Saint Louis Railway Company to a point at the beginning of curve in block eighteen (18) in Minneapolis; thence curving regularly to the left to a point at the end of curve in the line dividing lots nine (9) and ten (10) in block seventeen (17) in Minneapolis, ten (10) feet distant from the rear end of said lots; thence in a direct line tangent to the curve, and parallel with and ten (10) feet distant from the southerly line of the north half of said block seventeen (17), and across Fifth Avenue South to and parallel with and ten (10) feet distant from the northerly line of fractional block sixteen (16), in Minneapolis, to Sixth Avenue South. Such tracks to cross First Street, in said city, underneath the grade, and to cross Fourth and Fifth Avenues South upon grade. And the Minneapolis Eastern Railway Company, its successors and assigns, is further hereby authorized to construct and maintain one track of its railroad upon and across Second Street and Fourth Avenue South, near their intersection, for the purpose of connecting its railroad with the tracks of the Chicago, Milwaukee and Saint Paul Railway Company; also, to use and operate such tracks, when constructed, with cars and engines in the usual manner.

Power granted to construct and maintain and remove tracks over certain streets.

SEC. 2. The city of Minneapolis reserves the right to enter upon those portions of said streets upon which such railroad tracks shall be constructed, and make such excavations, and do such other work thereon as may be necessary or convenient in the construction and repair of sewers, gutters, water mains, gas pipes or other works or improvement of a public character without being liable therefor to any claim for damages; and the Minneapolis Eastern Railway Company, its successors and assigns, shall afford all aid and facilities to said city in doing such work; and protect their tracks during such work; and relay their tracks at their own expense if removed by such works, when the works are completed from time to time.

City reserving the right to enter upon and make improvements.

SEC. 3. The Minneapolis Eastern Railway Company, its successors and assigns, shall construct and forever maintain over its tracks upon the line of First street a good substantial bridge for public travel; such bridge shall be constructed in accordance with a plan, which shall be first approved by the City Council of said city, and said Railway Company, its successors and assigns, shall at all times keep said bridge in good repair, and with such sufficient railing and other safeguards, that there shall be no dangers of accidents to persons traveling thereon, and shall build sidewalks thereto whenever ordered by the City Council, and maintain such sidewalks, as well as the rest of the bridge.

Shall construct and maintain bridge upon the line of First street and keep same in repair.

SEC. 4. The Minneapolis Eastern Railway Company, its successors and assigns, shall always keep and maintain that portion of every street upon or across which its tracks shall be constructed, in good condition for public travel, as may be needed, or as the City Council of said city may from time to time direct, and shall keep the same planked, paved, macadamized, or otherwise put in condition as said City Council may order from time to time, such paving, planking, macadamizing or other improvement to cover the whole space occupied by such tracks, including the spaces between several tracks and such distance outside of the outer rails as the City Council may order. And said Railway Company, its successors and assigns, shall always conform the said tracks, at their own expense, to the grade of said streets as such grade is or may hereafter be fixed or changed by the City Council of said city, and shall also, in operating such railroad, conform to all reasonable regulations which shall be made by said City Council respecting the running of cars and engines upon and across said streets, and respecting precautions touching the public safety.

Shall keep all streets over which it runs in good condition

SEC. 5. The aforesaid grant of right of way to the Minneapolis Eastern Railway Company aforesaid, its successors and assigns is made upon the express condition that said Company, its successors and assigns, shall always in all things conform to the provisions of this ordinance, and do and perform all things whatever which

Conditions of the grant of right and privileges.

are in this ordinance stated or provided for, to be done or performed on its or their part faithfully and promptly; and on the further express condition that any other railroad company having a terminus in the city of Minneapolis shall have the right to make connection with such railroad tracks, and always have the right to enter upon and pass with its cars and engines upon and over said tracks from a junction therewith as far southeasterly from the northern terminus of such tracks as said tracks or any connection therewith belonging to said first named company shall extend in said city, upon such just and equitable terms and regulations as may be agreed upon by the parties interested; and in case they can not agree upon such terms and regulations then the City Council shall have the power, by ordinance, resolution or otherwise to fix such terms and regulations, and change the same from time to time.

SEC. 6. If the Minneapolis Eastern Railway Company, its successors or assigns, shall at any time wilfully fail, neglect or refuse to conform to the provisions of this ordinance, respecting the condition in which such streets and the said bridge over First Street are to be put and kept; and such failure, neglect or refusal shall continue for the space of thirty days after notice from the City Council or from any officer of the city, by direction of the City Council, requiring them to conform to the provisions hereof in the matter, the City Council shall have and does hereby expressly reserve the right and power in such case to declare all rights of the Minneapols Eastern Railway Company, its successors and assigns, acquired under this ordinance, or under any amendment express or otherwise of this ordinance, forfeited by reason of such failure, neglect or refusal; and thereupon and thereafter all such rights shall cease, end and determine.

Penalty for neglect to conform to the provisions of the grant.

SEC. 7. If said railway tracks shall not be laid and cars and engines running thereon over the entire line, which are mentioned in section one of this ordinance, within eight months after the date of the passage of this ordinance; then as to all tracks which shall not then be so laid and the cars running thereon, all rights and privileges granted by this ordinance shall lapse, end and determine, and this ordinance cease to be operative to grant any right thereafter to lay any such tracks then not laid without any declaration of forfeiture or other act whatever.

All rights and privileges shall be forfeited when.

SEC. 8. The city of Minneapolis in no wise warrants any of the rights or privileges herein granted, or which are intended to be herein granted; and it is not to be subjected to any claim for damages on account of any matters herein contained.

City does not warrant rights granted.

SEC. 9. The provisions of this ordinance are not to be so construed as to take away or infringe upon the rights or privileges of any other railway company.

Provisions not to be construed to infringe upon rights of any other railroads.

What to be done so as not to impede public travel.

SEC. 10. The Minneapolis Eastern railway Company, its successors and assigns, in all its constructions and repairs upon and across all streets, shall so perform its work as not to hinder nor unnecessarily impede public travel, and shall take all proper precautions by fencing and lighting excavations and obstructions to guard against all dangers of accidents to the public; and shall indemnify and save harmless the said city against all claims for damages or injuries caused by any failure to take such precaution.

SEC. 11. This ordinance shall take effect and be in force from and after its publication.

Passed the Council January 15th, 1879.

ELWOOD S. CORSER,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved January 20th, 1879.

A. C. RAND,
Mayor.

XXXIV.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS EASTERN RAILWAY COMPANY THE RIGHT TO CONSTRUCT AND OPERATE LINES OF RAILWAY UPON AND ACROSS CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Right and privilege granted to lay and construct track along certain streets.

SECTION 1. There is hereby granted to the Minneapolis Eastern Railway Company, its successors and assigns, permission and authority to lay, maintain and operate one track of its railroad from the easterly line of Eighth avenue southeast upon and along the northerly side of Main street in said city and extending to the eastly side of Second avenue southeast, together with the right to construct and operate such spur tracks connecting with such track as may be found necessary to connect such main track with any and all mills, manufactories and other industries requiring railway

facilities, and also the right to connect such main track on Bluff street between Eighth and Tenth avenues southeast with any railway track that may be permitted on said Bluff street. Such main track and spur tracks to be made to conform to the grade of said Main street as the same is now or shall hereafter be established, excepting in case the grade of said Main street shall be changed so as to cross Sixth avenue southeast, at the grade of said Sixth avenue southeast, as changed by ordinance; in that case said railway track shall not conform to such change but shall conform to the present grade of said Main street. Such main track to be constructed as near as may be practicable to the northerly side of said Main street and located to the approval of the City Engineer of said city.

There is also granted to the said Minneapolis Eastern Railway Company, its successors and assigns, the further right to construct, maintain and operate not exceeding two other railway tracks, upon and across Fifth, Sixth, Seventh and Eighth avenues southeast and upon such portions of Bluff street as may be necessary to connect such tracks with such other railway tracks as are now or may hereafter be permitted on said Bluff street. Such tracks to be located upon a strip of land described as follows, that is to say: Commencing at a point on the easterly side line of Third avenue southeast, midway between Main and Second streets, on a line running parallel with and midway between said Main and Second streets southeasterly along the middle line of blocks fifty, fifty-one and fifty-two, in St. Anthony Falls, and crossing Fifth, Sixth and Seventh avenues southeast upon said line to a point in block fifty-three where the dividing line between lots two and three intersect said middle line of said block, thence on a six degree reverse curve to a line parallel with and fifty-eight feet distant southerly from the southerly line of block fifty-four in St. Anthony Falls, and thence easterly along said last named line to an intersection with the main line of the proposed extension of the Minneapolis Eastern railway opposite block fifty-five, in said St. Anthony Falls, and said strip of land being of the following width, that is to say: Through said block fifty and to the center of Fifth avenue southeast thirty feet on the northerly side and twenty-five feet on the southerly side of said line, from the center of Fifth avenue southeast to the middle line of Sixth avenue southeast fifteen feet on each side of said line, from the middle line of Sixth avenue southeast to the middle line of Seventh avenue southeast twenty feet on each side of said line, and thence twenty-five feet on each side of said line.

Such tracks are to be constructed across Fifth avenue southeast at such grade as may be convenient to said railway company irrespective of the grade of said avenue. Across Sixth avenue south-

east, said tracks are to be on such grade as to allow passage under said Sixth avenue southeast, as the same shall be changed in conformity to ordinance of the City Council approved February 7th, 1881, and across Seventh and Eighth avenues southeast at such grades as may be convenient to said company not varying more than three feet from the present grades of said avenues, and along said Bluff street at such grade as may be convenient to said company.

Right to operate tracks shall include right to pass and repass cars and locomotives.

SEC. 2. The right to operate the tracks herein named shall include the right to pass and repass thereon with cars and locomotive engines, in the usual manner of railway operations, but shall not include the right to obstruct travel on said streets by standing cars, except so far as may be necessary for loading and unloading cars on said main track, and the said operations shall in all respects be subject to all lawful regulations and restrictions of any and all ordinances and regulations of said city.

SEC. 3. The grants of right of way herein contained are made upon the express conditions following, that is to say:

Conditions of grant.

(1) That said Minneapolis Eastern Railway Company, its successors and assigns shall within six months after notice therefor from said City Council construct over its tracks crossing Fifth avenue southeast a good and sufficient bridge for the travel of said Fifth avenue southeast, of such dimensions as the City Council shall direct, said city to construct and maintain the approaches to such bridge.

(2) That said company, its successors and assigns, shall construct and prepare for the use of said city on said Bluff street and between its said tracks and said blocks fifty-four and fifty-five of St. Anthony Falls, a roadway not less than thirty feet wide and in case the construction of said railway tracks shall leave less than thirty feet between such tracks, or the embankment on which they shall be laid, said company or its successors or assign, shall, at its own cost, procure and turn over to said city sufficient land to give such unobstructed roadway thirty feet wide.

(3) That said company, its successors and assigns, shall, whenever said City Council shall require of the St. Paul, Minneapolis & Manitoba Railway Company the construction of a bridge or viaduct for the passage of the travel on said Sixth avenue southeast above the grade of the roadway on said Main street as provided for in the ordinance granting right of way to said St. Paul, Minneapolis & Manitoba Railway Company for tracks on said Main street, repay to said St. Paul, Minneapolis & Manitoba Railway Company one-half the expense of constructing such bridge or viaduct over said roadway on Main street.

(4) That said Minneapolis Eastern Railway Company, its successors and assigns, shall construct on Sixth avenue southeast over its said tracks good bridges for the travel upon said avenue,

such bridges to have a roadway not less than thirty feet wide with sidewalks on each side not less than eight feet wide, and shall also construct between such bridges a good and sufficient roadway with a straight grade from one of said bridges to the other, said roadway to be thirty feet wide with sidewalks eight feet wide, and may be made on earth embankment or approved bridges, as shall be convenient.

(5) All the bridges herein provided for shall be of sufficient strength to sustain all travel thereupon at any rate of speed permitted on the streets of said city.

All such bridges shall have good abutments of stone, well built and of sufficient strength to support any embankment that may be necessary or convenient for approaches to such bridges on said streets.

Such bridges shall be of such materials and constructed upon such plans as shall be approved by the City Council or any committee or officer by them authorized to act in their behalf; but in case they are built of wood, wholly or in part, said company or its successors or assigns shall maintain and keep in repair all such wooden constructions.

Said company shall maintain all abutments of such bridges and repair all such injuries to such bridges as shall result from the insufficiencies of such abutments. If such bridges are constructed of iron with stone or concrete pavement or roadways, said city will maintain the same except as against defects in the original construction thereof.

SEC. 4. The city of Minneapolis reserves the right to enter upon those portions of said streets upon which such railroad tracks shall be constructed, and make such excavations, and do such other work thereon as may be necessary or convenient in the construction and repair of sewers, gutters, water mains, gas pipes or other works or improvements of a public character without being liable therefor to any claim for damages; and the Minneapolis Eastern Railway Company, its successors and assigns, shall afford all aid and facilities to said city in doing such work; and protect their tracks during such work; and relay their tracks at their own expense if removed by such works, when the works are completed from time to time.

The city reserves the right to enter upon the streets to make improvements.

SEC. 5. The Minneapolis Eastern Railway Company, its successors and assigns, shall always keep and maintain that portion of every street upon or across which its tracks shall be constructed, in good condition for public travel, as may be needed, or as the City Council of said city may from time to time direct, and shall keep the same planked, paved, macadamized, or otherwise put in condition as said City Council may order from time to time, such paving, planking, macadamizing or other improvements to cover

The road shall keep and maintain crossings in good repair for public travel.

the whole space occupied by such tracks, including the spaces between said several tracks and such distance outside of the outer rails as the City Council may order. And said railway company, its successors and assigns, shall always conform the said tracks, at their own expense, to the grade of said streets as such grade is or may hereafter be fixed or changed by the City Council of said city, and shall also, in operating such railroad, conform to all lawful regulations which shall be made by said City Council respecting the running of cars and engines upon and across said streets, and respecting precautions touching the public safety.

SEC. 6. The aforesaid grant of right of way to the Minneapolis Eastern Railway Company aforesaid, its successors and assigns, is made upon the further express condition that said company, its successors and assigns, shall always, in all things, conform to the provisions of this ordinance, and do and perform all things whatever which are in this ordinance stated, or provided for, to be done or performed on its or their part, faithfully and promptly; and on the further express condition that any other railroad company having a terminus in the city of Minneapolis shall have the right to make connection with such railroad tracks, and always have the right to enter upon and pass with its cars and engines upon and over said tracks from a junction therewith as far southeasterly from the northern terminus of such tracks as said tracks, or any connection therewith, belonging to said first named company, shall extend in said city, upon such just and equitable terms and regulations as may be agreed upon by the parties interested; and in case they cannot agree upon such terms and regulations, then the City Council shall have the power, by ordinance, resolution or otherwise, to fix such terms and regulations, and change the same from time to time.

Conditions of grant of right of way.

SEC. 7. If the Minneapolis Eastern Railway Company, its successors or assigns, shall at any time wilfully fail, neglect or refuse to conform to the provisions of this ordinance, respecting the condition in which such streets and bridges shall be put and kept, and such failure, neglect or refusal shall continue for the space of thirty days after notice from the City Council or from any officer of the city by direction of the City Council, requiring them to conform to the provisions hereof in the matter, the City Council shall have and does hereby expressly reserve the right and power in such case to declare all rights of the Minneapolis Eastern Railway Company, its successors and assigns, acquired under this ordinance, or under any amendment, express or otherwise, of this ordinance, forfeited by reason of such failure, neglect or refusal; and thereupon and thereafter all such rights shall cease, end and determine.

Penalty.

SEC. 8. The city of Minneapolis in no wise warrants any of the rights or privileges herein granted, or which is intended to be herein granted; and it is not to be subjected to any claim for damages on account of any matters herein contained.

City does not warrant rights and privileges granted.

SEC. 9. The Minneapolis Eastern Railway Company, its successors and assigns, in all its constructions and repairs upon all streets shall so perform its work as not to hinder nor unnecessarily impede public travel, and shall take all proper precautions by fencing and lighting excavations and obstructions to guard against all dangers of accidents to the public; and shall indemnify and save harmless the said city against all claims for damages or injuries caused by any failure to take such precautions.

Work to be done so as not to impede public travel.

SEC. 10. This ordinance shall take effect and be in force from and after its publication.

Passed April 20th, 1881.

F. L. SMITH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved April 23d, 1881.

A. C. RAND,
Mayor.

XXXV.

AN ORDINANCE

GRANTING TO THE AMERICAN UNION TELEGRAPH COMPANY THE RIGHT TO EXTEND ITS LINES INTO THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. There is hereby granted to the American Union Telegraph Company the right to extend its lines into the city of Minneapolis, and for that purpose it may erect poles within the streets of said city in the usual manner, and maintain such upon poles such number of wires as may be necessary or convenient for the business of said company.

Right granted to extend lines into the city.

Streets in which poles to be erected to be designated by whom.

SEC. 2. The streets in which such telegraph poles shall be erected and over which such wire shall be extended, the location of such poles and the manner of erecting the same, shall be designated by the Committee on Roads and Bridges and the City Engineer of said city; and said Committee on Roads and Bridges and the City Engineer shall also have the right to direct the manner of shaving, trimming and pointing such poles.

May extend where.

SEC. 3. From and after the first day of March, A. D. 1881, none of the wires of said company shall be permitted to extend over any street of said city, so that its lowest point shall be less than thirty-five feet above the roadway of such street; but until that time said company may use such poles for its wires as it may obtain, but not to interfere with the travel or use of said streets or the workings of any telephone or telegraph wires now in use and approved under the direction of said Committee on Roads and Bridges and the City Engineer.

Right reserved to annul grant when.

SEC. 4. The right is hereby reserved to vacate and annul this grant in case said company shall for the term of thirty days, after notice from the City Engineer or other proper city officers, refuse or neglect to comply with any of the conditions of this grant.

City Council reserves right to change location when.

SEC. 5. The City Council also reserve the right to change the location of such telegraph lines and make such other directions respecting their construction and maintenance as the public good may require; but it is agreed that so long as said company shall comply with the conditions of this ordinance, and such other reasonable directions as may be made, it shall not be required to take down or remove any of its lines without having permission to extend them in some other place or carry its telegraph wires into said city in some other manner, so as to give reasonable facilities for transaction of its business.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed the Council January 19th, 1881.

C. L. SNYDER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 20th, 1881.

C. L. SNYDER,
Acting Mayor.

XXXVI.

AN ORDINANCE

GRANTING TO THE SAINT ANTHONY FALLS WATER POWER COMPANY THE RIGHT TO CONSTRUCT, MAINTAIN AND USE A CANAL IN MAIN STREET IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. There is hereby granted to the Saint Anthony Falls Water Power Company the right to construct a canal in Main street in said city and under the roadway thereof, extending along said Main street from the northerly line of Second Avenue southeast to the southerly line of Eighth Avenue southeast, together with the right to connect said canal with mills or manufacturing establishments on said street by branches from said canal, and to maintain, use and operate the same in such manner as may be necessary for the development and use of the water power of said company; and there is also granted the right to construct and maintain such tail-races or conduits across said street and under the roadway thereof as may be necessary to carry off the water from such mills or manufacturing establishments. Such conduits or tail-races may be excavated and maintained under the limestone ledge.

Right granted to construct a canal.

SEC. 2. Nothing in this ordinance shall be construed as giving or assuming to give any right to interfere with the right or property of any individual or any warranty of the rights herein granted, and this grant is made subject to all private rights, and upon the express condition that said city of Minneapolis is not to be subjected to any claim for damages on account of any matter herein contained.

Subject to rights before granted and private rights.

SEC. 3. All construction and work to be done pursuant to this ordinance shall be done subject to the direction of the City Engineer, and in such manner as not to interfere with the public use of said street or the rights of said city to any greater extent than may be absolutely necessary in the reasonable prosecution of said work.

Work to be done subject to direction of city engineer.

Shall be constructed above limestone ledge.

SEC. 4. The said company shall construct its canal or water course above said limestone ledge or in the same, and it shall construct and maintain a good and substantial wall on the sides of the same, which walls and the bottom of said canal shall be properly cemented and maintained in such manner as to prevent the escape of water from such canal. Said canal shall not exceed seventy feet in width. Such canal shall be covered by an arch of masonry of such material as to be permanent and such strength as to support the travel and all use of the roadway above said canal. Said water power company shall construct said covering at such height as to leave the roadway of said street at the grade established by said city.

Shall not exceed seventy feet in width.

Said canal shall in all respects be constructed and maintained under the direction of the City Engineer of said city, subject to inspection and precaution against leakage or breaking away. After the construction of said canal said company shall, whenever required by the City Engineer, shut off the water therefrom to enable said engineer to inspect the same, to determine whether any damage has ensued or may be likely to ensue from the flow of water therein, and in case said engineer shall, upon such inspection or otherwise, deem it necessary to take any further precaution against damage from the flow of water therein, said company shall comply with the direction of such engineer before letting the water into said canal; and in case of the neglect or refusal of said company to comply with such directions, it shall be the right of the officers of said city to enter upon and control said canal and shut off the water from flowing therein until such directions of the City Engineer are complied with.

May be inspected by city engineer when

SEC. 5. Said water power company shall at all times indemnify and save said city harmless from all loss or damage sustained by reason of the insufficiency of the covering of said canal or any other insufficiencies in the construction or maintenance of said canal, conduits or tail-races, and in case said company shall fail to maintain suitable covering upon said canal, or allow any other insufficiency to exist in the construction or maintenance of said canal, conduits or tail-races, whereby the use of said street shall be impaired or rendered unsafe in the judgment of the City Engineer, it shall be the right of said engineer or other proper city officer to repair the same at the expense of said water power company.

Water Power Company shall indemnify and save city harm less.

SEC. 6. Said company is authorized to enter upon and obstruct said street during the construction of said canal, doing their work in such a manner as to obstruct travel as little as may be, and as speedily as can be reasonably done; provided, however, that during all the time of the construction of said canal, there shall be kept a good and sufficient bridge or crossway at Third Avenue southeast, to enable teams to cross to Hennepin Island; and that

Shall not obstruct public travel.

from and after the first day of April, A. D. 1881, until the completion of said work, there shall be kept an unobstructed roadway on said street, twenty feet in width; and from the commencement of said work until said first day of April, said roadway shall be maintained unobstructed to the width of twelve feet; and during the progress of said work said company shall maintain all necessary guards and lights to prevent accidents in passing upon said street.

SEC. 7. In case of suit against said city for damages or injury caused by the insufficiency of said street, occasioned by the failure on the part of the company to comply with the requirements of this ordinance, or any other fault or neglect of said company, the said city shall, through its Mayor, Clerk or Attorney, and within reasonable time, notify the said company of the commencement of such action, and the said company shall fully indemnify said city against the claims sued on and against any judgment which may be recovered thereon, and shall at its own expense defend such action, and save the city harmless therein. And if said company shall fail to do this the said city may suffer judgment by default, and said company shall pay such judgment without question as between it and said city.

In case of suit city to be notified and saved harmless when

SEC. 8. In case said water power company shall, upon request of said City Engineer to inspect said canal, refuse to permit such inspection or shall neglect or refuse to take such precautions and make such repairs as shall be required by said City Engineer as provided by section four hereof, or shall for the space of six days after notice from any proper officer of said city, neglect or refuse to make the indemnities provided for in sections five and six and seven hereof, then the City Council shall have and does hereby expressly reserve the right to terminate all the rights and privileges herein granted, and may resume full control and possession of all parts of said street occupied by such work the same as if this ordinance had not been enacted.

City Council may terminate rights and resume control when.

SEC. 9. Said company shall commence operations on said work on or before March 1st, 1881, and complete the main line of said canal within two years from the approval hereof, or else the grants herein shall cease and be determined, but said company may make connections from mills or manufacturing establishments or railways therefrom at any time they may become necessary.

When to be commenced and completed.

SEC. 10. Said company shall, before commencing operations, pursuant to this ordinance, file with the City Clerk an agreement in writing, duly executed by the proper officers, accepting the conditions of this ordinance, and engaging to abide by and perform the same.

Company shall accept condition of the ordinance in writing.

City Council reserves right to amend provisions.

SEC. 11. The City Council reserves the right to amend the provisions of this ordinance in any manner that will not destroy the efficiency of the water power, or impede the operation of mills using the same.

SEC. 12. This ordinance shall take effect and be in force from and after its publication.

Passed the Council, January 19th, 1881.

C. L. SNYDER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 20th, 1881.

C. L SNYDER,
Acting Mayor.

XXXVII.

AN ORDINANCE

REGULATING THE FIRE DEPARTMENT OF THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Shall consist of whom.

SECTION 1. The fire department shall consist of a Chief Engineer two assistant engineers, one of whom shall be called the first assistant engineer and the other the second assistant engineer, and as many permanent and transient members as the number of engines and other fire apparatus of the city shall from time to time require.

SEC. 2. The compensation for service in the fire department shall be established by resolution at the same time as that of other city officers.

Salaries of the members of the department.

Provided, however, That the salaries already established for the fiscal year shall remain the same, and that the salaries for the new offices created under this ordinance shall be as follows for the balance of the fiscal year:

Permanent foremen	$720	per annum.
Transient foremen	$300	" "
Transient firemen	$240	" "

SEC. 3. The City Council, at its first annual meeting each year, or as soon thereafter as may be, shall elect a Chief Engineer and a first and second assistant engineer, who shall hold their respective offices for one year, and until their successors are chosen, unless sooner removed by the Council.

City Council shall elect chief engineer when

Provided, That the Engineer and the assistant engineers already appointed, shall hold their offices for this year, and until their successors are elected.

And further provided, That the City Council of the city of Minneapolis shall have power at any time to declare any of the aforesaid offices vacant for neglect of duty or misconduct in office by a vote of not less than two-thirds of the members of said Council, and may also declare any of said offices vacant in case of death or removal from the city; and in case of vacancy as aforesaid, the City Council may at once fill such vacancy by election.

SEC. 4. The Chief and assistant engineers shall together constitute the Board of Engineers, a quorum of which shall consist of a majority thereof. The Chief Engineer shall preside at all meetings when present, and shall act as clerk of the board. He shall also keep all books necessary for the business of the department, which books shall always be open for the inspection of any member of the City Council. It shall be the duty of the Board of Engineers to investigate the cause of every fire which may hereafter occur, and record the result of such investigations in a book to be kept by the Chief Engineer for that purpose.

Who to constitute board of engineers.

SEC. 5. The Chief Engineer shall have power to appoint proper persons to fill the respective positions in the fire department, subject to the approval of the City Council.

Engineer shall appoint proper persons to fill positions.

SEC. 6. All members of the fire department shall be subject to, and strictly comply with, all rules and regulations made and adopted from time to time by the Board of Engineers and approved by the Fire Committee.

Members shall comply with rules and regulations of Board of engineers.

SEC. 7. The Board of Engineers, with the approval of a majority of the Fire Committee, shall have power to discharge any member for violation of the rules and regulations; they shall report from time to time to the City Council the names of such officers or members of the department, if any, as in their judgment should be removed or discharged, with their reasons therefor. The Board of Engineers, when they deem it for the best interest of the department, and with the consent of a majority of the Fire Committee, may transfer any officer or member from one company to another.

Power of Board of engineers.

SEC. 8. All transient members of the department shall report to their respective station on or before 9 o'clock p. m., and shall remain subject to all rules and regulations governing full paid men until 6 o'clock a. m. From 6 o'clock a. m. until 9 o'clock p. m. they shall report at all fires or alarms, under a penalty of one dollar fine

Transient members of department shall report when.

for such non-attendance, said fine to be deducted from the monthly salary of such absentee. They will also be required to respond to a call from their respective foreman for special duty, practice, changing or drying hose, etc., said time not to exceed one day (ten hours) in any one month.

SEC. 9. The Chief Engineer shall have command of the entire Fire Department. He shall at all times supervise and keep in repair and ready for instant use all the property of the city connected with the department, and shall certify all bills against the city, chargeable to said department. He shall keep a record of the organization of all companies, memberships, vacancies, appointments, and dismissals, and all notices issued. He shall attend all fires in the city, and all orders issued by him to any other officer or member of the department shall be promptly obeyed. He shall see to the enforcement of all rules and regulations of Board of Engineers. He shall have power to suspend any member of the department for neglect of duty or violation of the rules and regulations, such suspension to continue until such offending party shall have been reported to the Fire committee or City Council for action thereon. Any member so suspended shall not be entitled to pay during such suspension, unless by a majority vote of the Board of Engineers and Fire Committee. He may at any time report to the City Council any act of disobedience, disrespect, or impropriety on the part of an assistant engineer. He shall report at the end of the fiscal year in writing, upon the condition of the department, the number of fires that have occurred in the city during the year preceding, the cause of the same so far as can be ascertained, the number of buildings destroyed or injured, the names of the owners or occupants of the same, the value of the property destroyed as near as can be ascertained, and the amount of insurance upon the buildings and other property, which said report shall be published or filed and preserved in the office of the City Clerk.

Chief engineer shall h ve command of ent re fire department.

SEC. 10. It shall be the duty of the Chief Engineer to take such measures as may be necessary, at any fire, for the extinguishment thereof and the protection of property, and by and with the advice of the assistant engineers or the consent of the Mayor or any two aldermen present at any fire, may order any building, pile of lumber, or other structure or other property, pulled down, removed or destroyed to prevent the spread of the fire.

Duties of chief engineer of fire department.

SEC. 11. Each assistant engineer shall obey all orders of the Chief Engineer and shall at all times assist him in his duties. In case of the absence or disability of the Chief Engineer the powers and duties conferred and imposed upon him by this ordinance shall devolve on and be performed by the assistant engineers respectively, in the order of their rank.

Orders of chief engineer to be obeyed.

SEC. 12. The Chief Engineer shall have full power, control and command over all persons whomsoever, at any fire, and in his absence the first assistant engineer shall perform his duties, and in the absence of the Chief and first assistant engineer, the second assistant shall discharge the duties of the Chief, and in the absence of all the engineers, the senior foreman, in whose district the fire occurs, shall act as Chief Engineer.

Powers of chief engineer.

SEC. 13. The Chief Engineer, or person in command, shall have power to command such assistance from the inhabitants of the city, not members of the Fire Department, for the extinguishment of fire and for the preservation of property exposed to fire, as may in his judgment be required, and in case any person shall neglect or refuse to render assistance as above required, or shall refuse to obey any other lawful order of the officer in command, or who shall insult, menace or interfere with any officer or man connected with the department when on duty, or who shall without authority give any order to any member of the Department while on duty, or if any fireman or other person shall refuse to do as aforesaid, such person in either case so offending shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding twenty-five dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

Penalty.

SEC. 14. Each company may have extra men or substitutes, to be selected by the board of engineers, not exceeding four to each hose company or six to each hook and ladder company. They shall not be entitled to pay except when ordered on duty in place of transient members absent without leave, when they shall receive the amount of fine—one dollar for non-attendance at fires—to be deducted from the monthly salary of such absentee, and when acting as substitute for members absent with leave shall receive the same pay as such absentee, to be deducted from the monthly salary of such absentee. Said extra men shall be furnished with a hat and badge by Board of Engineers; in case of vacancy in the company to which they are attached, they shall, if worthy and competent, be eligible to promotion to fill the same.

Extra men may be selected when.

SEC. 15. No cards, dice, gambling apparatus or intoxicating drinks shall be brought into be used or remain in any building occupied by the department, and none but members of the department shall occupy any such building without permission of the Chief Engineer. No permanent member of the department will be permitted to act as executive committeeman, or attend any political convention as delegate, or be allowed to hold tickets at any public election.

No cards, or gambling apparatus or intoxicating drinks allowed in the building.

SEC. 16. All ordinances and parts of ordinance inconsistent with this ordinance are hereby repealed.

SEC. 17. This ordinance shall take effect and be in force from and after July 1st, 1879.

Passed June 27th, 1879.

A. R. CAMP,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 30th, 1879.

A. C. RAND,
Mayor.

XXXVIII.

AN ORDINANCE

RELATING TO CONTRACTS AND CONTRACTORS WITH THE CITY OF MINNEAPOLIS.

As Amended June 7th, 1880.

The City Council of the City of Minneapolis do ordain as follows:

Contents of contracts.

SECTION 1. When any contract is ordered to be made or let under the provisions of the City Charter for any public improvements, either on streets, public grounds, public buildings, or other structures, or for repairs thereto, such contract shall contain a special provision for the payment of the laborers, and those furnishing material for such work or improvement, out of the amount due the said contractors from the city before any part is paid to said contractors, their heirs, agents or assignees, as hereafter provided.

Officer having charge to fix the amount of bonds to be given by the contractor.

SEC. 2. When contracts are made as stated in section one of this ordinance, the officer having charge of making such contracts in behalf of the city shall fix the amount of bonds to be required of the contractor, and where proposals are made for such contracts upon specifications, said specification shall state the amount of bonds so to be given, and the contractor shall with the said contract execute a bond, with sureties, to be approved by the officer signing and countersigning said contract in the sum fixed as aforesaid, conditioned for the payment of the laborers employed, and

for all materials furnished for the work or improvements so contracted for, and to indemnify and save the said city harmless for all liens or claims of liens for such labor or materials, or for any other claims against said contractors, and also to save the city harmless for all damages caused by the negligence of said contractors, in any respect relating to the work or improvements so to be made or done by them.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed the Council September 10th, 1873.

A. M. REID,
President of the Council.

Attest:
CHARLES W. JOHNSON,
City Clerk.

Approved September 11th, 1873,
A. M. REID,
Acting Mayor.

XXXIX.

AN ORDINANCE

REGULATING TRAVEL ON THE BRIDGES ACROSS THE MISSISSIPPI RIVER.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no person shall drive more than twenty head of cattle or mules at one time across any one span of any bridge across the Mississippi river, within the city; and that no cattle be allowed to pass over any of said bridges faster than a walk. Regulation in crossing.

SEC. 2. Any person violating any of the provisions of this ordinance shall, on conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding ten dollars for any such offense and shall pay costs of prosecution and may be imprisoned until such fine and costs are paid, not exceeding sixty days. Penalty for violation.

SEC. 3. This ordinance shall take effect and be in force from and after its publication.

Passed, October 15th, 1879.

A. R. CAMP,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved October 20th, 1879.

A. C. RAND,
Mayor.

XL.

AN ORDINANCE

RELATING TO NUISANCES.

As Amended May 17th, 1877, and as Amended August 7th, 1878.

The City Council of the City of Minneapolis do ordain as follows:

What business, trade, calling or occupation prohibited.

SECTION 1. No person or persons shall, within the limits of the city of Minneapolis, exercise, carry on, follow or engage in or work at any business, trade, calling or occupation, which shall be dangerous, hurtful, unwholesome, offensive or unhealthy to the neighborhood. It shall be the duty of the Chief of Police to give notice to such person or persons, to forthwith cease, quit and desist from such dangerous, hurtful, unwholesome, offensive or unhealthy business, trade, calling or occupation, and if such person or persons shall refuse or neglect to cease, quit and desist from such dangerous, hurtful, unwholesome, offensive or unhealthy business, trade, calling or occupation within the space of forty-eight hours from the time of such notification, then such person or persons, upon conviction thereof before the Municipal Court of said city, shall be punished by a fine not exceeding one hundred dollars, or by imprisonment for a term not exceeding thirty days, or both, at the discretion of said Municipal Court.

Penalty.

No person shall allow any outhouse, privy, vault, sewer, &c. to become offensive.

SEC. 2. No person or persons shall, within the limits of the city of Minneapolis, permit or suffer to be or remain offensive, nauseous, hurtful, dangerous, unhealthy or uncomfortable to or for the neighborhood, any outhouse, privy, vault, sewer, private drain, sink,

pool, putrid or unsound flesh-meat, fish, skin, carcass, or any other unwholesome or offensive substance, liquid or thing whatsoever, on or upon his, her or their premises or land, or premises or land occupied or used by, or under the control of him, her or them. Any person or persons violating any of the provisions of this section shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding thirty dollars, or imprisonment not exceeding thirty days, or both, in the discretion of said Municipal Court.

Penalty.

SEC. 3. No person or persons shall within the limits of the city of Minneapolis keep or use any slaughter house, nor slay, kill or butcher any animal, nor melt or fry out any rough tallow, nor keep nor have any stale, putrid or stinking fat, greese or meat. No person or persons shall keep within said city any undressed or dry hides. or other offensive or nauseous substance or liquid at any place from whence the stench thereof shall extend to any street, avenue, alley, lane or public ground, or to any dwelling; and no owner or occupant of any grocery, cellar, tallow chandler's shop, pickling house, meat shop, soap factory, tannery, brewery, distillery, dye-house, stable, or other place of business, shall suffer or permit the same to become nauseous, ofiensive or unhealthy, nor suffer nor permit any litter or garbage to be thereon or swept therefrom upon any street, avenue, lane or alley, nor suffer or permit any foul, unclean, nauseous or offensive liquid or substance to pass therefrom or from any premises under their control adjacent thereto, into, over or upon any street, lane, avenue or alley, or open drain, gutter or sewer, or over or upon any private grounds of any other person. Any person who shall violate any provision of this section, shall, upon conviction thereof before the Municipal Court, be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, but not exceeding forty days.

Keeping stale, stinking fat, &c. prohibited.

Penalty.

SEC. 4. No person or persons shall, within the limits of the city of Minneapolis, set fire to or burn, or shall permit or suffer or procure to be set fire to or burned on or upon his, her or their open lot, land or premises, or open lot, land or premises occupied by or under the control of him, her or them, any weeds, dry grass, leaves, chips, straw, hay, cornstalks, manure, bones, or any rubbish, offals, or substance or thing whatsoever.

Burning weeds dry grass, manure &c. prohibited.

Provided, however, That the provisions of this section shall not apply to or affect manufacturers, tradesmen, mechanics or other persons, who use such fire for the purpose of their manufactory, trade or occupation. Any person or persons violating the provisions or any provision of this section, shall, upon conviction thereof before the Municipal Court of the city of Minneapolis, be punished

Penalty.

by a fine not exceeding twenty-five dollars, or by imprisonment not exceeding twenty days, or both, at the discretion of said Court.

Duty of chief police to make complaints and notify city attorney thereof

SEC. 5. It shall be more especially the duty of the Chief of Police to enforce the provisions of this ordinance, and in case of any infractions of the same, to make complaint, or cause the same to be made, before the Municipal Court of said city, and notify the City Attorney thereof; and for the purpose of enforcing the same, or satisfying himself whether there has been any violation thereof, he shall, where he may have reasonable cause to believe that this ordinance has been violated in any particular, have the authority, and it shall be his duty, to enter into any building or upon any lot or premises whatsoever within said city, and make reasonable search and examination as to the existence or presence upon such premises of any nuisance, or offensive substance or practice hereinbefore specified, or otherwise, and any person or persons resisting, opposing or obstructing him in any manner in the performance of his duties aforesaid, shall, upon conviction thereof before the Municipal Court of said city, be punished by a fine not exceeding thirty dollars, or imprisonment not exceeding thirty days, or both, in the discretion of said Municipal Court.

Penalty for opposing or obstructing.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed May 21st, 1873.

E. W. CUTTER,

Attest: *Vice-President of the Council, and President pro tem.*

THOMAS HALE WILLIAMS,

City Clerk, pro tem.

Approved May 26th, 1873. GEO. A. BRACKETT,

Mayor.

XLI.

AN ORDINANCE

APPOINTING A BOARD OF SINKING FUND COMMISSIONERS, AND DEFINING ITS DUTIES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Mayor, Comptroller, and Treasurer of the city of Minneapolis, and their successors in office, be and hereby are appointed a Board of Sinking Fund Commissioners, for the purpose of taking charge of, controlling and directing the investment and disbursement of the sinking funds appropriated or hereafter to be appropriated to the extinguishment of the debt of said city, or either of the divisions thereof; and said board shall organize by the election of a chairman, secretary and treasurer.

Sinking Fund Commissioners who to be.

SEC. 2. That the Treasurer of said city shall report to the City Council the amount of all moneys now in his possession, or that may hereafter be received by him, from any source whatever, belonging to or appropriated to the sinking funds, and shall, whenever so directed by the City Council, pay over said moneys to the commissioners of the sinking funds, and said Board shall receive said funds and faithfully apply the same to the payment of the principal and interest of such bonds, or the purchase thereof before due, as were provided for to be paid when said fund or funds were created, and said funds shall not be diverted to any other use or purpose whatever, except to temporarily invest the same in bonds of the city of Minneapolis, or bonds, such as by law the permanent school fund of the State of Minnesota is invested, subject, however, to the approval of the City Council.

Treasurer to report to City Council.

Funds how to be applied.

Of investments

SEC. 3, That the treasurer of said board shall receive and carefully preserve all moneys and securities belonging to the sinking funds subject to the control of the Board of Sinking Fund Commissioners, and shall receipt to the board for the same; said receipt shall show to what particular fund or funds the moneys or securities receipted for belong; and he shall keep an account showing at all times the actual condition of the sinking funds; and said treasurer, and his successors in office, shall execute to the city of Minneapolis a bond, with at least two

Duty of treasurer.

Treasurer to give bond.

sureties, containing such penal sum as said board may deem sufficient, subject, however, to the approval of the City Council

Duty of Secretary.

SEC. 4. That the secretary of said Board shall carefully preserve all receipts required by the foregoing section to be given by the treasurer of said Board, and shall keep an account debiting or crediting, as the case may be, the treasurer of said Board with all moneys and securites passing to or from said treasurer, also showing the particular sinking fund account to which they properly belong.

Concerning examination of books and accounts and report.

SEC. 5. That said Board of Commissioners, in connection with the Committee on Ways and Means, shall, at least once in each year (and as much oftener as the City Council may require it), carefully examine the books and accounts of the secretary and treasurer of said Board, and count the moneys and securites belonging to the sinking funds, and report to the City Council the exact condition thereof. And said Board shall, on or before the first day of August in each year, prepare and report to the City Council a statement showing the amount of taxes required to be levied by said Council for the payment of the interest and redemption at maturity, of the principal of the various loans negotiated on account of the city of Minneapolis or either of its divisions.

To provide payment of city debt.

SEC. 6. That said Board of Sinking Fund Commissioners shall create a sinking fund for the redemption of the principal of the city debt, or any portion thereof, or the debt of either of its divisions, not otherwise provided for, twelve years before the same becomes due, and said Board in its annual statement to the City Council showing the amounts of taxes necessary to be levied as required in the preceding section, shall designate a sum equal to six per cent. of the principal of all indebtedness of the city, or of either of its divisions, maturing within the time above specified, naming the particular indebtedness to which it applies and the time it matures; and the City Council shall levy the amount so designated upon the property of the city, or upon the property of the division to which the payment thereof properly belongs, and the amount so raised annually by taxation shall be paid over by the City Treasurer to the Board of Commissioners of the Sinking Funds, and the said commissioners shall invest the same, with its accumulations, as directed in section two (2) of this ordinance; and should any portion of said funds be invested in the bonds of the city of Minneapolis, such bonds shall not be cancelled, but shall remain as a part of the assets of the specific funds with which they were purchased.

Tax levy.

Of cancellation of bonds.

Provided, That whenever it shall appear to the Commissioners that any sinking fund herein created will be more than sufficient to meet the loan for which it is intended when it falls due, said Commissioners may discontinue further taxation on account of the same.

And provided further, That said Board shall designate to the Council such sum from year to year as it may deem expedient and necessary for the payment, at maturity, of all indebtedness of the city, or either of the divisions thereof, which may become due before the first day of January, 1887, which sum shall be levied by the City Council, and when collected shall be controlled by said commissioners in like manner as other funds in their hands.

SEC. 7. That all excess of revenue over estimates, and all unexpended balances at the close of each fiscal year, shall be carried to the credit of such of the various sinking funds of the city, or of the division to which they properly belong, as the Commissioners may deem advisable; and the proceeds of sale of and the rents and profits derived from property belonging to the city, or to either division thereof, shall be paid over to the Commissioners of the Sinking Funds, and shall be credited to the sinking fund account or accounts, to the payment of which the said property, rents and profits were originally pledged.

Excess of revenue shall be carried to credit of various sinking funds.

SEC. 8. That said Board of Commissioners may, whenever deemed expedient, use the funds to the credit of any sinking fund account, in the redemption, before maturity, of a portion of the debt or loan to which said funds may be applicable, and all bonds so redeemed shall be cancelled by the Commissioners, and be preserved by the treasurer of said Board, until the entire loan of which they are a part shall have been redeemed, when they shall be turned over to the City Treasurer and destroyed in the presence of the standing Committee on Cancellation, which fact shall be reported to the City Council.

Board of commissioners may use funds to credit of any sinking fund account.

SEC. 9. That the Treasurer of said city shall, before the principal or interest of any debt of the city, or either of its divisions, becomes due, notify the Sinking Fund Commissioners of the fact, stating the amount and the time when the same must be paid; and it shall be the duty of the said commissioners to furnish the Treasurer from the funds in their care for said payment, the sum required, or so much as shall be to the credit of said debt or loan, and take his receipt therefor, which shall be preserved by the secretary of said board as provided in section four (4) of this ordinance.

Duties of city treasurer.

SEC. 10. This ordinance shall take effect and be in force from and after its publication.

Passed June 2d, 1875.

W. E. JONES,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved June 3d, 1875.

O. C. MERRIMAN,
Mayor.

XLII.

AN ORDINANCE

RELATIVE TO SCAVENGERS.

As amended May 15th, 1878 and September 11th, 1878.

The City Council of the City of Minneapolis do ordain as follows:

Scavengers must have license.

SECTION 1. No person shall follow or practice the business or occupation of a scavenger, or act as scavenger within the city of Minneapolis, without having first paid for and obtained a license as is hereinafter provided for; and if any person shall act as scavenger within said city without having such license, he shall on conviction therefor before the Municipal Court, be punished by a fine not exceeding fifty dollars and the costs of prosecution, or imprisonment not exceeding thirty days.

How license to be obtained.

SEC. 2. Any person desiring to follow the occupation as scavenger in said city shall pay to the City Treasurer of said city the sum of ten dollars, and upon presenting to the Comptroller of said city the Treasurer's receipt for that sum, together with a bond in the sum of one hundred dollars, with two or more sureties approved by the Mayor of said city, conditioned for the faithful observance of his duties as scavenger, and that he shall observe and keep all provisions of the City Charter and ordinances of said city relative to his duties, and all directions of the City Council touching the same, the Comptroller shall issue to such person a license, in the form of other licenses issued by that officer, authorizing such person to carry on the business of scavenger in said city until the first Monday in May next, following the date of such license.

License to expire when.

Provided, That if the time such license shall have to run shall be less than one year, a ratiable proportion of the amount to be paid for such license may be deducted. All licenses to scavengers granted prior to the first Monday of May A. D. 1878, shall expire at that date, or as soon thereafter as this ordinance shall take effect, except where a different date for the expiration of the license has been inserted therein.

Authority to enter premises.

SEC. 3. Such scavenger, under the directions of the Mayor, Chief of Police, an Alderman, or member of the Board of Health, shall have the power to enter upon any premises between sunrise and sunset, for the purpose of examing any vault, privy or private

drain, and shall be permitted access to any and all parts of every dwelling or building in the city of Minneapolis necessary for such examination, and for such length of time as may be necessary to complete the same, and also for the purpose of cleaning the same when necessary.

SEC. 4. Whenever in the opinion of the Mayor, Chief of Police, an Alderman, or member of the Board of Health, any such sink, privy or private drain shall need cleaning, altering, relaying or repairing, in order to protect the public health, or to prevent the same from becoming or continuing noisome or offensive, he shall notify in writing the owner or occupant of the premises on or in which the same may be, to cause the same to be cleaned, altered, repaired or relaid within six days from the date of the service of said notice, and in case of the neglect or refusal to comply with the requirement of said notice, the City Council may direct and employ any person to do the required work, and the expense thereof, with fifty per cent. penalty thereon, may be recovered against the owner of the lot and premises, and the amount thereof, unless paid by the owner, shall be assessed on the lot or premises, and be collected in the same manner as other assessments or taxes imposed by authority of the City Council.

Notice for cleaning sinks, &c

Penalty for neglect.

SEC. 5. Scavengers shall not empty or remove the contents of any tub, vault, sink or privy or private drain, otherwise than in boxes or casks made tight and closely covered, and at such hours or times of the day or night as the Mayor or Chief of Police may direct.

Mode and time.

SEC. 6. When requested by the owner or occupant of any premises, the scavenger shall cleanse or empty any vault, sink, privy or private drain, and remove any and all nuisances. In such cases they may demand and receive their fees for such services in advance.

Duty of scavenger.

Fees in advance.

SEC. 7. Scavengers shall receive fifteen cents for each cubic foot of the contents of any sink, private drain, vault, privy or other receptacle of filth by them cleaned or removed, but shall be permitted to charge at least fifty cents in any case; and for removing any dead animal shall be entitled to one dollar for each horse or head of cattle, and to fifty cents for each hog or dog, and to twenty-five cents for each cat, and for removing any other animal or nuisance such reasonable fee as may be allowed by the City Council; and in every instance such dead animal shall be enclosed in a close covered box, when being conveyed through any street or public alley within the city limits. The owner or person having charge of any animal which shall die within the city limits shall at once at his own cost cause such animal to be removed and properly buried, and if he shall neglect so to do shall be guilty of a misdemeanor, and on conviction

Rate of fees.

Penalty.

thereof shall be punished by a fine not exceeding fifteen dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding fifteen days.

Penalty.

SEC. 8. Any violation of or neglect to comply with the provisions of this ordinance, on the part of any scavenger whose duty it shall be to comply with the same, or any neglect or refusal of any owner or occupant of any premises to permit his premises to be examined as herein provided, and the same to be cleaned if deemed necessary, shall be punished by a fine not exceeding fifty dollars, or imprisonment not exceeding thirty days, or both, and costs.

SEC. 9. This ordinance shall take effect and be in force from and after its publication.

Passed April 11th, 1873.

E. W. CUTTER,
Vice-President of the Council and President, pro tem.

Attest:

THOMAS HALE WILLIAMS,
City Clerk, pro tem.

Approved May 26th, 1873. GEO. A. BRACKETT,
Mayor.

XLIII.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS AND SAINT LOUIS RAILWAY COMPANY AND TO THE CHICAGO, MILWAUKEE AND SAINT PAUL RAILWAY COMPANY THE RIGHT TO LAY CERTAIN RAILWAY TRACKS ON SECOND STREET IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Franchise granted to St. Louis railway company.

SECTION 1. There is hereby granted to the Minneapolis and Saint Louis Railway Company, its successors and assigns, the right to lay and extend one track of its railway upon and along Second street in said city, from a point connecting with its present southwesterly track on said street, opposite lot three (3) block six-

teen (16), of the town, now city, of Minneapolis, to a connection with the present railway track connecting the tracks of said company with the tracks of the Chicago, Milwaukee and Saint Paul Railway Company, opposite to lot four (4), block one hundred (100), of said town; and to use and operate the same for railway purposes, subject to the restrictions hereinafter contained.

SEC. 2. There is also granted to the Chicago, Milwaukee and Saint Paul Railway Company, its successors and assigns, the right to lay and extend one track of its railway upon and along the sonthwesterly side of said Second street, from a connection with the aforesaid track connecting the tracks of said two companies, at a point opposite lot five (5), in said block one hundred (100), to a connection with the track of said company opposite to lot one (1), in block seventeen (17), of said town, and also a connection with the tracks of said Minneapolis and Saint Louis Railway Company, at or as near said point last named as may be practicable, and to use and operate said track for the purposes of its railway, subject to the restrictions hereinafter contained.

Franchise granted to Chicago, Milwaukee and St. Paul Railway Company.

SEC. 3. The aforesaid grants are made upon the express condition that the said railway tracks so permitted shall be used for the purpose of making transfer of cars from the lines of said railway companies, the one to the other, and for no purpose to impede or interfere with such transfer, and upon the further condition that said companies shall keep and maintain good and sufficient planking between the rails of said tracks and one plank on the outside of said rails, which said plank shall be at least twelve inches wide.

Conditions of grants.

SEC. 4. There is hereby expressly reserved to said City Council the right to revoke, modify or amend the grants herein made, and to require the tracks herein permitted, to be moved, changed or taken away entirely upon three months' notice to said companies or to either of them.

City reserves right to revoke

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed June 20th, 1881.

F. L. SMITH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 27th, 1881.

A. C. RAND,
Mayor.

XLIV.

AN ORDINANCE

CREATING A BOARD OF HEALTH FOR THE CITY OF MINNEAPOLIS, AND DEFINING ITS DUTIES.

As Amended June 10th, 1878.

The City Council of the City of Minneapolis do ordain as follows :

Board of health

SECTION 1. The City Council shall elect annually, on or before the first Monday in May, a physician, who shall be a graduate of some college of medicine, in good standing with his profession, and fitted by capacity and experience for the performance of the duties of the office, to be Health Officer. Such Health Officer, together with two Aldermen and two (2) private citizens, to be appointed by the City Council, shall constitute a Board of Health, whose duty it shall be faithfully to execute all laws of the State relating to public health, and perform such other duties as may be assigned to them by the city ordinance.

Meetings.
Quorum.

SEC. 2. Said Board of Health shall hold regular monthly meetings on the first Tuesday of every month, and a majority of the members shall constitute a quorum for the transaction of business.

Functions of health officer.

SEC. 3. *First*—The Health Officer shall be, *ex officio*, President and executive officer of the Board. It shall be his duty to make regular monthly sanitary inspections of the city as to all matters affecting the health of its citizens, of which inspection he shall make written report at each regular meeting of the Board. He shall notify the State Board of Health of his election, and shall make such reports and answer such inquiries concerning the sanitary condition of the city, diseases prevalent, vital statistics, etc., as may be required by the State Board of Health. Said Health Officer shall assist the City Clerk in the collection and collation of the vital statistics of the city, as provided by the State law, and shall make every effort to make such statistics as accurate and complete as may be, particularly such as relate to the causes of death. He shall also annually, in March, make to the Council a detailed statement of his operations during the last preceding year, with a full and accurate account of all expenses incurred in the discharge of his duties. The Health Officer shall

Statement to City Council when made.

hold his office for one year, and until his successor is appointed and qualified. Before entering upon his duties he shall take the usual oath of office, and give a bond, payable to the city of Minneapolis, with good and sufficient sureties to be approved by the City Council, in the sum of one thousand dollars, conditioned for the faithful performance of his duties. The salary of the Health Officer for each ensuing year shall be established by the City Council at the next ensuing meeting after his appointment.

Term of office.

Salary.

Second—The Board shall choose a suitable person of their number who shall be Clerk of the Board of Health, and it shall be his duty to keep accurate records of the business done at all meetings of the Board; to cause to be published or posted the notices or orders of the Board, as required by law; to keep all accounts of the Board; to call special meetings when requested by the President or two other members of the Board; to preserve and file for reference, all reports, orders, or other papers relating to the business of the Board, and to present to the City Council the orders, reports and accounts of said Board of Health which require the approval of the Council, and to present therewith, as the Board may direct, either orally or in writing, the reasons therefor.

Clerk to be elected.

Duties of clerk.

SEC. 4. It shall be the duty of each and every practicing physician (which term shall include dentists, midwives, and every person who practices about the cure of the sick or injured, or who has charge of or professionally prescribes for any person sick, injured or deceased), to at all times cause his or her name, office and residence, or his or her kind or class of practice to be registered in the office of the Board of Health, in accordance with the regulations prescribed by said Board.

Physicians to register names, &c.

SEC. 5. It shall be the duty of each and every such practicing physician in the city of Minneapolis, who may assist or advise at any birth within the limits of the city of Minneapolis, to make and keep a registry of every such birth, on blanks provided by the Board of Health, and therein enter the time and place, ward and street of such birth, and the sex and color of the child born, and the name and residence of each of the parents, and such other facts as may be required by the Board of Health; and every physician and professional adviser who has attended any person at a last illness, or has been present by request at the death of any person, shall make and preserve a registry of such death, stating the cause thereof, and the name, nativity, residence, sex, occupation, date, hour, place and street of such death; and such additional facts as before mentioned. And when a death shall occur of any person at which no physician or professional adviser may be called or be present, the owner or occupant of the building in or upon which such death may occur, or next of kin to deceased,

Physicians to keep register of births, &c.

shall make a register of the facts, and deliver the same, as in the next section provided.

Registry to be presented when.

SEC. 6. It shall be the duty of every person mentioned in the last section, (or the person required to make or keep any such registry of births and deaths). to present to the Board of Health, the said register, signed by such person, or a written statement by him or her signed, of all the facts in said register required to be entered within five days after the birth, and within thirty-six hours after the death of any person to whom such register may or shall relate.

Duty of coroner.

SEC. 7. It shall be the duty of any Coroner holding an inquest upon the body of any deceased person within the city of Minneapolis, within three days after the holding of such inquest, to file a written statement with the Board of Health of said city, signed by the Coroner making the same, stating, so far as he is able, where and upon the body of whom such inquest was held, and the cause, date and place of the death of such person.

Of permit for interment.

SEC. 8. No dead body of any human being shall be interred in any cemetery or other place, nor placed in any vault or tomb, nor otherwise disposed of within the limits of the city of Minneapolis, nor be conveyed or carried from the said city to any place outside of said city for any purpose until a permit for the interment of such body shall be first obtained from the Health Officer. And the Health Officer shall give such permit without charge upon the receipt by him of the certificate of death, above provided for; and no sexton nor undertaker shall assist in nor about the interment or other disposition of such body within the limits of said city, nor shall any undertaker, hackman, drayman, railroad employee, or other person assist in or about the carriage or conveyance of such body from said city to any place outside of said city, or receive such body to be so conveyed, until a permit for the interment of such body shall have been first obtained from said Health Officer.

Contagious disease to be reported.

SEC. 9. It shall be the duty of each and every practicing physician in the city of Minneapolis, to report in writing to the Board of Health every person having a contagious disease, and the state of his or her disease, and his or her name and place of residence, if known, which said person such physician has prescribed for or attended for the first time since having such a contagious disease, during any part of the preceding twenty-four hours; but not more than two reports shall be required in one week concerning the same person. But every attending or practicing physician thereat, must, at his peril, see that such report is or has been made by some attending physician.

Hotels, boarding house, &c. to report to Board of health

SEC. 10. It shall be the duty of every keeper of any boarding house, lodging house, inn or hotel in the city of Minneapolis, within twenty-four hours to report in writing to the Board of Health, the

same particulars in the last section required of any physicians, concerning any person being at any of the aforesaid houses or hotels, and attacked with any contagious disease.

Schools to report when.

SEC. 11. It shall be the duty of the managers, principal, or other proper head officers of each and every public or private institution in said city, to make or cause to be made, by some proper and competent person, twice in each week, a written report to the Board of Health, stating therein their name, if known, and condition and disease of any and every person being thereat, and sick of any contagious disease.

Private persons report when.

SEC. 12. It shall be the duty of every person knowing of any individual in said city sick of any contagious disease, where such person shall have reason to regard such individual as neglected or not properly cared for, and to avoid giving said disease to others; and the duty of every physician hearing of any such sick person, who, he shall have reason to think, requires the attention of the Board of Health, to at once report the facts in regard to the disease, condition and dwelling place or position of such sick persons to said Board.

Persons affected by contagious disease may be removed.

SEC. 13. When any person coming from abroad, or residing in said city, is or lately has been infected with the small pox or other contagious disease dangerous to the public health, the Board of Health may immediately cause him or her to be removed to a separate house, if it can be done without danger to his or her health, and shall provide for such persons, nurses and necessaries, which shall be at the charge or expense of such person or his or her parent, guardian or master, if able; otherwise at the charge of said city. If such person cannot be removed, as aforesaid, without danger to his or her health, the Board shall make provision, as above directed, for such person in the house where he or she may be; and in such case they may cause the persons in the neighborhood to be removed, and may take such other measures as they may deem necessary for the safety of the inhabitants.

Authority to provide hospitals, &c.

SEC. 14. When a disease dangerous to the public health, breaks out in said city, the Board of Health shall immediately provide such hospital or other place of reception for the sick and infected as is judged best for their accommodation and the safety of the inhabitants; which said hospital or place of reception shall be subject to the regulations of the Board, and the Board may cause any sick and infected person to be removed thereto, unless his or her condition will not admit of such removal without danger to his or her health; in which case the house or place where such person remains shall be considered as a hospital, and, with all its inmates, subject to the regulations of the Board.

SEC. 15. The Board of Health may examine into all nuisances, sources of filth and causes of sickness, and make such regulations respecting the same as they may judge necessary for the public health and safety of the inhabitants; and when any nuisance, source of filth or cause of sickness is found on private property, the Board of Health shall order the owner or occupant thereof, at his own expense to remove the same within twenty-four hours; and whenever such owner or occupant shall not comply with such order of the Board of Health, said Board may cause the said nuisance, source of filth, or cause of sickness to be removed; and all expenses incurred thereby shall be paid by said owner or occupant, or by such other person as has caused or permitted the same. And any such person neglecting or refusing to comply with the orders of the Board aforesaid, shall be further subject to all the penalties imposed by this ordinance.

For removal of nuisances.

Penalty.

SEC. 16. Whenever the Board of Health shall deem it necessary to enter any building in said city for the purpose of examining into and destroying, removing or preventing any nuisance, source of filth or cause of sickness, and shall be prevented by any person from entering such building, such person, upon conviction thereof before the Municipal Court, may be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding sixty days; and the Court may thereupon issue its warrant to the Chief of Police of said city, requiring him to accompany any of the members of the Board of Health, and aid them in entering such building and in the suppression of any nuisance that may be found therein.

Penalty for preventing examination of nuisance.

SEC. 17. Notice shall be given by the Board of Health of all orders and regulations made by them, by publishing the same in the official paper of said city, and by causing printed copies of such notices to be posted in ten public places (one copy to each ward) in said city; and such publication of said orders and regulations shall be deemed a legal notice to all persons.

Notices of orders how served.

SEC. 18. It shall be the duty of the Chief of Police of said city of Minneapolis, to execute or cause to be executed, all orders and regulations of the Board of Health, and see that no person interferes with or obstructs any sanitary inspection or examination of said Board.

Duty of chief of police.

SEC. 19. Every person who violates any provision of this ordinance, or any order or regulation made by the said Board of Health, and duly published, shall, upon conviction thereof before said Municipal Court, be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, but not exceeding sixty days.

Penalty

SEC. 20. This ordinance shall take effect from and after its publication.

Passed May 21st, 1873.

E. W. CUTTER,
Vice-President of the Council and President, pro tem.
THOMAS HALE WILLIAMS,
City Clerk, pro tem.
Approved May 21st, 1873. GEO. A. BRACKETT,
Mayor.

XLV.

AN ORDINANCE

TO REGULATE THE USE OF WATER FROM THE WATER WORKS OF THE CITY OF MINNEAPOLIS, AND TO ESTABLISH RATES FOR THE SAME.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. Every person taking or using water from the City Water Works of said city shall comply with and abide by the following regulations:

Rules to be complied with by all parties using water from the city water works.

All service pipes connecting with the main pipes of the City Water Works shall from the mains to the curbs be equal in strength to "double A" lead pipe, and shall have wiped joints wherever lead pipe is used. When service pipe of more rigid material than lead is used, it shall be connected with the mains by at least two feet of lead pipe and the stop cocks at the ends shall have but one washer.

The service pipes shall be at least eight feet below the surface grade of the street, and in such manner as to prevent rupture from settling, and shall be provided with a stop cock at the curb of the sidewalk, which stop cock shall in all cases be protected by a pipe or box leading from the same to the surface, which shall have an iron box cover, with the word "water" marked thereon, and so exposed as to be readily found; the whole to be completed subject to the approval of the Superintendent of the Water Works. All service pipes shall be one-eighth of an inch larger in the interior

than the tap in the main with which it is connected, and a stop and draw-cock shall be properly located within the building and the pipes so arranged that the water can be drawn from them whenever there is danger of freezing. Taps connecting with the mains for ordinary domestic supply shall not be of larger size than five-eighths of an inch, without special permission of the Superintendent.

All expenses relating to the introduction of water into buildings or private premises shall be paid by the applicant therefor; except that no charge shall be made for the services of the Superintendent, who shall direct where and in what manner the mains shall be tapped, and excavations made in the streets for laying pipes.

Application for a permit to use water shall be made by the applicant to the Superintendent of Water Works, which application shall specify in detail all uses to be made of the water, and shall be accompanied by the amount of money required in this ordinance for rates, for use of water for the current half year (and to the expiration thereof) together with the rate for making such connection with the water main, as established in this ordinance.

Applicants for permits to use water or to make additions or alterations, shall in writing state fully all purposes for which water is to be used.

And the applicants further answer without concealment all questions concerning the subject of the application which may be asked by the Superintendent of Water Works, and consumers of water shall at all times answer truly all questions which shall be asked them by the Superintendent concerning the use or waste of water. In case of false statements or fraudulent concealment on the part of the applicant or consumer, the payments made by him shall be forfeited, and the Superintendent shall turn off the water from such person's premises. Upon such application and payment the applicant shall receive from said Superintendent a written permit to use water as specified in said application, and to lay service pipes from such water mains subject to all the regulations of the ordinances of said city and the directions of the Board of Water Commissioners thereof.

All persons taking water shall at their own expense keep their service pipes, and all pipes and fixtures connected therewith in good repair and protected from frost, and shall prevent all unnecessary waste of water. No deduction in the rates shall ever be made on account of service pipes being frozen or out of repair. If any person who has paid rates for the use of water shall wilfully waste water or permit it to be wasted by reason of his service pipe or fixtures being out of repair, or by permitting water to be taken from his premises by other persons who have not paid the city in advance therefor, he shall be deemed to have forfeited the moneys by him

paid for such rates, and it shall be the duty of the Superintendent of Water Works to stop his supply of water, and such Superintendent shall not turn on the water to the service pipe of such person, until he shall be satisfied that such waste will not be repeated nor again permitted; nor until said person shall have paid the sum of five dollars for turning off and on the water, in case any digging was necessary, or the sum of three dollars where no digging is necessary.

Water shall not be kept running except when in actual use unless it is so specified in the application, and permission of the Superintendent is granted to that effect upon the payment of an extra charge therefor to be fixed by the Superintendent.

No additions nor alterations whatever shall be made in the taking of water except upon the permission of the Superintendent of Water Works, obtained in writing by the applicant, or a request by him in writing through a licensed plumber.

No person taking water shall allow any other person to take water from his service pipe unless such person shall have a permit therefor from the Superintendent of Water Works. No person having service pipes upon his premises, shall make, or cause to be made, any tap or faucet upon the same or connection therewith, without a permit therefor first obtained from the Superintendent of Water Works, after application made therefor; and no plumber nor other person shall make any connection with any service pipe, nor any change in any tap or faucet, nor attach any new tap or faucet to any water pipe without a permit being first granted therefor by the said Superintendent. And whenever water shall have been turned off from any premises, or service pipe, because of non-payment of water-rates or for any cause, no person other than the Superintendent of Water Works or person acting under his immediate authority and direction shall turn on the water again.

No person shall open or interfere with any of the hydrants or gates of the city, except the Superintendent of the Water Works, or persons specially authorized by him, and members of the Fire Department.

The city shall not be liable under any circumstances for any deficiency or failure in the supply of water to consumers, whether occasioned by shutting the water off for the purpose of making repairs or connections, or for any other cause whatever. In case of fire or an alarm of fire, or in making repairs, or in constructing new works, the Superintendent may shut off the water at any time and keep it shut off so long as he shall deem necessary.

SEC. 2. From and after the first day of May, 1881, the following annual rates shall be charged and collected by the City of Minneapolis for the use of water furnished by he City Water Works, payable half yearly in advance, on the first days of May and November, in each

year, to the Superintendent of the Water Works, at his office in said city, viz: For water furnished to—

Annual rates from and after May 1st, 1883.

Bakeries, using flour not exceeding an average of two barrels per day	$6 00
And for each additional barrel	3 00
Banks, each	6 00
Baths, public or in a barber shop, one tub	8 00
And for each additional tub	4 00
In dwellings and boarding houses, each tub	2 50
Barber shops, having one chair	4 00
And for each additional chair	2 00
Blacksmith shop, one fire	3 00
And for each additional fire	2 00
Boarding houses	8 00
And in addition, for each room for boarders or lodgers	1 00
Book binderies, employing not more than ten persons	5 00
And for each additional person employed	25
Candy manufactories or ice cream saloons	$10 00 to 15 00
Carriage shops, employing not more than ten persons	5 00
For each additional person employed	25
And in addition, for fires same as blacksmith shops.	
Cooper shops, per tank, per season	$10 00 to 25 00
Or meter rates, if meters are used.	
Churches, for all purposes	$5 00 to 10 00
Dentists' offices	6 00
Dwellings, ten rooms or less, one faucet	5 00
For each additional faucet	50
And for each additional room	25
Fountains, small, in buildings, for use or ornament	5 00
Laundries	$10 00 to 25 00
Manufactories, for washing or drinking, ten persons or less	5 00
Market house, what is needed for cleanliness and health on the floor used for market purposes, free. All fountains, restaurants water closets, and other use of water about the Market house to be paid for as if located elsewhere.	
Markets, meat and fish	$10 00 to 15 00
Offices, single, each faucet	5 00
Printing offices, not including engines	5 00
If more than ten persons employed, for every additional person	25
Additional if one power press is used	2 00
And for every additional power press	1 00
Steam engines at engine rates.	
Pipes attached to hose for fire protection, each	$1 00 to 10 00
Photograph galleries or rooms	$10 00 to 20 00
Railroads, including depots of Chicago, Milwaukee & St. Paul Railway Company	1,000 00
Minneapolis & St. Louis Railway Company	800 00
Or meter rates may be charged instead.	
All other railroads, special or meter rates.	
Restaurants or eating houses, each	$10 00 to 20 00
Stables, livery, sale and street car	15 00
Additional for every stall in each stable	1 00
Stables, private, for every horse or cow kept	1 00
Additional for every wagon, carriage or buggy	1 00
Steam engines, for each horse power used, up to ten	4 00
For each horse power above ten	2 00
Steam boilers used independent of engines, for dwelling houses, per horse power	25
For mills and manufactories, per horsepower	50

Stores for sale of any goods except liquors	$5 00
Stores for sale of liquors	$10 00 to 40 00
Saloons for sale of liquors alone	$10 00 to 20 00
Connected with restaurant or lunch room	25 00
Connected with billiard-room or bowling-alley	15 00
Connected with grocery or boarding-house	10 00
Tenement or office, when water is taken from outside of premises	5 00
Urinals for barber-shops, saloons, several offices, or in a public place, each	3 00
In private house, store or single office	2 00
And each additional one	1 00
Vinegar factory	$10 00 to 40 00
Or meter rates.	
Water closets for barber shop, saloon, several offices, or in a public place, each	6 00
In private house, store, or single office	2 50

No water shall be furnished for any urinals or water closets which are not self closing and in good order, without special permission granted by the superintendent upon the payment of special rates to be by him fixed.

Water motors and elevators, meter rates.

The Board of Water Commissioners shall have authority in their discretion when cistern or well water is in use in any private dwelling, to make a rebate of any yearly rates for house use in excess of ten dollars ($10), and in any private dwelling to make a rebate of all rates in excess of fifteen dollars ($15) per annum. In lieu of the schedule rates named above, any consumer whose annual consumption of water exceeds twenty-five dollars ($25) in the above schedule, may, on application to the Board of Water Commissioners pay for what water is actually consumed on his premises, ascertaining by water meter approved by the superintendent, at the meter rates named in this section, but when a meter is set the charge shall not be less than ten dollars per year.

Board of water Commissioners may make rebate when.

And the following season rates shall be charged and collected by said city for water supplied from said Water Works for the six months commencing on the first day of May of each year, and be payable in advance on the first day of May of every year to the Superintendent of Water Works at his said office, viz.:

Season rates.

For water furnished to fountains, soda and small fountains in buildings, each	$ 5 00
Fountains for sprinkling vegetables, each	5 00
Fountains to be used only in day time, 1-16th inch jet	3 00
Fountains to be used only in day time, 1-8th inch jet	8 00
Fountains to be used only in day time, 1-4th inch jet	25 00
Portable or lawn, for area of 7,000 square feet or less	10 00
For each additional 1,000 square feet or fraction thereof, where the total area does not exceed 10,000 square feet	1 00
And for each 1,000 square feet in excess of 10,000	50
Provided that for a single portable fountain the maximum charge shall not exceed	18 00

No portable or lawn fountains shall have openings to exceed 1-8th inch in diameter without a proportionate increase of the price above.

Sprinkling lawns and gardens with hose held in hand:

For area of 2,000 square feet or less, per season	$ 5 00
For each additional 1,000 square feet or fraction thereof, where the total area does not exceed 10,000 square feet	75
For each 1,000 square feet, or faction thereof, in excess of 10,000	50
Provided that when only one hose is used during the hours designated in this ordinance the total rate shall not exceed for the season	15 00

But no charge shall be made for lawn sprinkling where a fountain is paid for.

Sprinkling sidewalks and store fronts when water is not taken in the building for each 25 feet front or less	$ 2 00
For each additional front foot	05

Building rates. Water for building purposes shall be paid for at the following rates:

For laying stone, per perch	$ 01½
For laying brick, per 1000	05
For plastering, per 100 yards	20

Not to be used for building purposes without permit. And no builder shall use water from the City Water Works for building purposes until he shall have first obtained from the Superintendent of Water Works a permit to use the same, specifying the place where it is to be used and the purpose and extent, which permit shall be issued upon application therefor, and payment in advance, but no permit for such purpose shall be given for a less sum than one dollar.

Rates for other purposes not mentioned above. The use of water for any purpose not specified in the foregoing schedules is to be charged and compensation collected therefor by said Superintendent per 100 gallons at the average quantity estimated by the Superintendent to be used during the year, or the quantity ascertained by meter.

The rates for such uses and for water motors and elevators, the quantities to be ascertained by meter, and in all cases where meter rates are preferred by the consumer to the specific rates herein designated shall be—

For 500 gallons, or less, per day at the rate of two (2) cents per 100 gallons, and one (1) cent per 100 gallons for all used in excess of 500 gallons per day.

Water taken for filling cisterns or sale, shall be charged and paid for at the rate of four (4) cents per 100 gallons.

All water to be paid for by the 100 gallons shall be paid for monthly, to the Superintendent of Water Works.

Any consumer of water who shall prefer to have his water measured rather than estimated by the Superintendent, shall be entitled to have such a meter as the Superintendent shall approve, put in upon paying to said Superintendent the cost of such meter. The Superintendent may at any time place a meter, at the expense of the Water Department, to ascertain the amount of water used by any person, and it shall be his duty to do so whenever directed by the Board of Water Commissioners.

Persons desiring to take water from the tank or stand pipe for sprinkling streets, filling cisterns or like purposes, shall make application to the Superintendent for the use of the water, stating the location of the tank or stand-pipe desired to be used, and the number of carts or vehicles to be employed, and such other information as the Superintendent may require, and shall not take such water without having first obtained a written permit therefor from the Superintendent. No person so taking water from any tank or stand-pipe shall permit any waste of water, nor permit water to run therefrom on the street so as to make a wet or muddy place on the street. And the Superintendent may revoke the permit of any person who shall personally or by his agent or servant, waste water or cause a nuisance in the street about such tank or stand-pipe, which revocation shall cancel such permit, and such revocation shall not prevent the person being otherwise punished under the provisions of this ordinance.

Rates of charges for tapping and making connections with the mains.

SEC. 3. There shall be charged and collected for tapping and making connections with the mains of said water works, to be paid at the time of making application for such connections, the following rates:

For connections not exceeding three-eighths of an inch in diameter, two dollars each.

For connections one-half an inch in diameter, three dollars each.

For connections five-eighths of an inch in diameter, four dollars each.

For connections three-fourths of an inch, five dollars each.

For connections one inch in diameter, ten dollars each.

For connections larger than one inch in diameter such rates, not less than ten dollars, nor more than twenty-five dollars for elevator connections, each, as shall be fixed by the Superintendent, said payment to include price of stop cock, which is to be furnished by the city.

Penalty for doing any act forbidden by this ordinance.

SEC. 4. Any person who shall do or commit any act which is forbidden by this ordinance shall, upon conviction thereof, be punished by a fine not less than five dollars nor more than fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding sixty days, and if any licensed plumber shall be convicted of any offense under this ordinance the City Council may revoke his license.

In case, for any reason, water shall fail to flow to any consumer thereof under this ordinance, in such case such consumer may, on application to said Superintendent, receive permission to take water from any other place where the same may be furnished, with the consent of the parties controlling the same.

If any water-taker shall supply or allow others to take water, except by written permission of the Superintendent of Water Works, or permit any waste of water, or any use of water, for which he has not paid the proper rate, or shall by use or neglect to pay the rates for all water used by him, to the Superintendent at his office, within twenty days after it shall be due, the water shall be immediately turned off, and the water rent already paid (if any) shall be forfeited.

Where two or more consumers take water from the same service-pipe, and any of them shall neglect to pay the water rates, the water shall be turned off from all. Whenever water shall be turned off as provided for in this ordinance, it shall not be turned on again until all back rent and damage shall be fully paid, together with the further sum of five dollars for turning off and on the water, except that where the water has been so turned off and on without digging, only three dollars shall be charged therefor.

All persons taking water who shall desire to discontinue the use of the same, shall give written notice to the Superintendent of Water Works at least ten days previous to the expiration of the time for which payment has been made, otherwise they will be liable for water rent for the next six months. No abatement of water rents shall be allowed by reason of removal from premises, disuse or diminished use of water, or vacancy of premises, unless notice be given at the time of such removal or disuse to the Superintendent of Water Works, accompanied by payment to him of the sum of one dollar for turning off the water.

Superintendent of water works has right to enter premises for purpose of examination.

The Superintendent of Water Works, and his assistants and agents, shall have the right of access at all seasonable hours of the day to all parts of premises to which water is supplied, to make examinations. Every person using a street waterer or garden sprinkler, shall only use or permit the same to be used upon his own premises and upon the street directly in front of and adjoining such premises. No person shall draw water from the city mains during a fire, except for the extinguishment of fire. No hose larger than one inch in diameter shall be used from any service-pipe without special permission of the Superintendent, upon payment of an additional rate to be fixed by him, and no sprinkling shall be done without a nozzle attached to the hose having an opening not larger than one-quarter inch in diameter. Whenever the Superintendent shall have turned off water from any service-pipe, he may, whenever he suspects any probability of tampering with the pipes, sever such pipes from the main.

Repeal of all former ordinances.

SEC. 5. All ordinances and parts of ordinances heretofore in force relating to the Water Works of said city are hereby repealed.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed June 20th, 1881.

F. L. SMITH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 27th, 1881.

A. C. RAND,
Mayor.

XLVI.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS AND ST. LOUIS RAILWAY COMPANY A RIGHT OF WAY UPON AND ACROSS CERTAIN STREETS IN THE CTIY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Minneapolis and St. Louis Railway Company, its successors and assigns, are hereby authorized to construct and maintain one railway track of its railroad upon and across such streets in the city of Minneapolis as may be included or crossed in a line of railroad described as follows, viz.:

May construct and maintain track where.

Beginning at a point in the present tracks of the railroad of said railway company about two hundred and fifty (250) feet northerly from the intersection of Fourth Avenue South and Second Street; thence curving to the left, crossing Fourth Avenue South and passing over lots one (1), two (2), three (3), eight (8), seven (7), and six (6), in block seventeen (17), in Minneapolis; thence crossing Fifth Avenue South and running along the alley in block sixteen (16), in Minneapolis, to Sixth Avenue South; and to use and operate such railroad with cars and engines in the usual manner.

SEC. 2. The city of Minneapolis reserves the right to enter upon those portions of said streets upon which said railroad shall be constructed, and make such excavations, and do such other

The city reserves what rights.

work thereon as may be necessary or convenient in the construction and repair of sewers, gutters, water mains, gas pipes, or other works or improvements of a public character, without being liable therefor to any claim for damages; and the Minneapolis and St. Louis Railway Company, its successors and assigns, shall afford all aid and facilities to said city in doing such work, and protect such railroad during such works, and relay the same at its own expense, when such works are completed from time to time.

SEC. 3. The Minneapolis and St. Louis Railway Company, its successors and assigns, shall always keep and maintain that portion of every street upon or across which its track shall be constructed in good condition for public travel, as may be needed, or as the City Council may from time to time direct; and shall keep the same planked, paved, macadamized, or otherwise put in condition, as the City Council may order from time to time; such planking, paving, macadamizing, or other improvement, to cover the whole space occupied by the said track, and such distance outside of the outer rails of the track as the City Council may order. And the said Railway Company, its successors and assigns, shall always conform the said track to the grade of said streets, as such grade is or may hereafter be fixed or changed by the City Council of said city; and shall also in operating such railroad conform to all reasonable regulations which shall be made by said City Council respecting the running of cars and engines upon and across said streets, and respecting precautions touching the public safety.

Duties of the railway company.

SEC. 4. The aforesaid grant of right of way to the Minneapolis, and St. Louis Railway Company aforesaid, its successors and assigns, is made upon the express condition that said company its successors and assigns, shall always, in all things, conform to the provisions of this ordinance, and do and perform all things whatever which are in this ordinance stated or provided for, to be done or performed on its or their part faithfully and promptly; and on the further express condition that any other railroad company having a terminus in the city of Minneapolis shall have the right to make connection with such railroad track, and always have the right to enter upon and pass with its cars and engines upon and over said railroad track from a junction therewith to a point as far southeasterly from the northern terminus of said track as the said track or any connection with said track belonging to the first above named company shall extend in said city. And cars from other railroads, delivered to the Minneapolis and St, Louis Railway Company to be unloaded or loaded on said track, shall be switched promptly and the same dispatch given to them as to cars to and from the Minneapolis and St. Louis Railway upon such just and equitable terms and regulations as may be agreed

Conditions of the grant.

upon by the parties interested; and in case they cannot agree upon such terms and regulations then the City Council shall have the power by resolution, ordinance or otherwise, to fix such terms and regulations and change the same from time to time.

SEC. 5. If the Minneapolis and St. Louis Railway Company, its successors or assigns, shall at any time wilfully fail, neglect, or refuse to conform to the provisions of this ordinance respecting the conditions in which such streets are to be put and kept; and such failure, neglect or refusal shall continue for the space of thirty days after notice from the City Council, or from any officer of the city by direction of said Council, requiring them to conform to the provisions hereof in the matter, the City Council of said city shall have, and does hereby expressly reserve, the right and power in such case to declare all rights of the Minneapolis and St. Louis Railway Company, its successors and assigns, acquired under this ordinance, or under any amendment, express or otherwise, of this ordinance, forfeited by reason of such failure, neglect or refusal; and thereupon and thereafter all such rights shall cease, end and determine.

In case of failure, neglect or refusal to conform, rights forfeited.

SEC. 6. If said railway track shall not be laid, and the cars and engines running thereon over the entire line which is mentioned and described in section one of this ordinance, within two months after the date of the passage of this ordinance, then all rights and privileges granted by this ordinance shall lapse, end and determine, and this ordinance cease to be operative so far as it grants any rights or privileges, without any declaration or forfeiture or other act whatever.

Rights forfeited when.

SEC 7. The city of Minneapolis in no wise warrants any of the rights or privileges herein granted; or which is intended to be herein granted; and it is not to be subjected to any claim for damages on account of any matters herein contained.

City does not warrant rights.

SEC. 8. The provisions of this ordinance shall not be so construed as to take away or infringe upon the rights or privileges of any other railway company.

Not to be construed as infringing on rights of other companies.

SEC. 9. The Minneapolis and St. Louis Railway Company, its successors and assigns, in all its constructions and repairs upon and across all streets, shall so perform its work as not to hinder nor unnecessarily impede public travel, and shall take all proper precautions by fencing and lighting excavations and obstructions to guard against dangers of accidents to the public; and shall indemnify and save harmless the said city against all claims for damages or injuries caused by reason of any failure to take such precautions.

Work to be performed how

SEC. 10. This ordinance shall take effect and be in force from and after its publication.

Passed November 20th, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved November 22d, 1878.

A. C. RAND,
Mayor.

XLVII.

AN ORDINANCE

TO PROVIDE FOR THE SUPPORT OF THE POOR IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Mayor and one Alderman from each ward, to be appointed by the President of the City Council, shall constitute a Board of Supervisors of the Poor, who shall have revisory authority over the granting of relief and all other acts done for the support of the poor of said city, and to that end may revise, modify or countermand any and all acts of the Superintendent of the Poor, and may consider and determine all matter where any party interested is dissatisfied with the action of such Superintendent. Said Superintendent shall be Clerk of said Board, and keep a record of all acts done by it. Said Board shall hold stated meetings at such time and places as it shall direct. A majority of said Board shall constitute a quorum, and a majority of the quorum present at any meeting may make any order in relation to the business of such Board. Said Board shall also advise with said Superintendent when requested.

Who to constitute a Board of Supervisors of the poor.

SEC. 2. Subject to the revision of such Board the Superintendent of the Poor shall have charge and control of all support and assistance provided or to be provided by said city to the poor within said city or resident therein, and for that purpose he shall devote the whole of his time. He shall, so far as may be, personally visit all

Superintendent to have charge and control of and devote his whole time.

applicants for relief at their homes, and inspect their manner of living and of using the aid furnished them; he shall investigate the capacity of such applicants for labor, shall, so far as he can, assist them in procuring employment, and advise and assist them in earning their own support without becoming paupers. Said Superintendent shall give bonds to the approval of the Council in the sum of one thousand dollars, conditioned for the faithful performance of the duties of his office and the proper payment of all moneys that come into his hands by virtue of said office.

Superintendent to give bonds.

SEC. 3. Said Superintendent shall keep an office at such place as the City Council shall direct, and shall be personally present at such office between the hours of 8 and 12 in the forenoon of each week day during the year, to receive such applications for relief as may be made, and he shall enter all such applications in a register which he shall keep for that purpose, and in which he shall enter the number of the application, the date, name of the applicant and of the person by whom the application is made, the places of residence of such applicants, the names and ages, the children, and other members of the family of such applicant, the names and residence of such persons as are by statute bound to support such applicant, if any; the grounds upon which relief shall be sought, and such other facts as may be deemed essential. He shall leave on the same page a blank for the entry of the items of supplies provided or relief granted, or other disposition of the application, as well as the facts shown upon the investigation of such application.

Superintendent shall be provided with an office by the city, and shall keep books stating name of applicant and grounds of relief.

SEC. 4. Said Superintendent shall, as soon as may be after receiving such application, proceed to investigate the same and to satisfy himself whether such applicant is a proper subject of relief, and whether the relief required be permanent or temporary. If he deem such applicant a proper subject of permanent relief, he shall make an order for the reception of such applicant by the overseer of the poor of the County of Hennepin, agreeably to section 10 of chapter 324 of special laws of Minnesota for 1879. If he shall find such applicant to be a proper subject for temporary relief, he shall ascertain and determine the nature of the relief necessary, and shall give such applicant an order for the supply of the specific articles of relief required. He shall furnish no relief in money, nor in any other manner than in the specific articles required to supply the wants of the applicant except by order of the Board. The articles so furnished shall be limited to such kinds as are necessary for upholding life, except in case of sickness, when, upon the recommendation of the City Physician other articles may be supplied.

Superintendent shall investigate every application.

SEC. 5. If any storekeeper or dealer shall furnish any other goods than the specific articles called for in such order, or shall furnish any damaged or unwholsome goods upon such order he shall

Forfeiture of all pay in case of unwholsome goods furnished.

forfeit all pay for any goods delivered on such order, and shall not be permitted to furnish any further goods for said city. At the end of each month said order shall be presented, allowed and paid in the same manner as other claims against said city, provided satisfactory proof is furnished that the articles named have been actually delivered.

Supertntendent shall advertise for proposals when.

SEC. 6. It shall be the duty of said Superintendent to procure either by advertisement or in such other manner as said Board shall direct, proposals for supply of wood of different kinds for the poor of the city. Said Board shall report such proposals to the City Council for such further action or direction as may be deemed advisable, and in case a contract is made for the supply of fuel all orders therefor shall be drawn on such contractor, and in case it shall be determined that the city keep its own supply of fuel then such orders shall be drawn on the party having charge of the same.

City shall be owner of all property until same is consumed.

SEC. 7. The city shall continue to be the owner of all articles of supplies furnished to any poor person or applicant as aforesaid until the same are consumed, and if any person to whom the same shall be furnished shall sell or dispose of the same for money or any other thing, or exchanges the same for liquor or in anyway dispose of the same other than in the manner directed, such conduct shall be deemed a misappropriation of the same, and nothing in this ordinance shall be held a license for such use or any defense to any prosecution for misappropriation, embezzlement or larceny thereof; and in case any person to whom relief shall be refused by reason of his refusal to work, shall take, appropriate or consume any supplies furnished to any member of his family, such taking, appropriation or consumption shall be contrary to this ordinance, and the party so taking the same shall be liable to prosecution for such taking, in like manner as if the same had been taken from a stranger.

City Council shall elect City Physician when.

SEC. 8. The City Council shall, whenever there shall be a vacancy, elect a City Physician who shall be a graduate of some college of medicine, and of good standing and experience in his profession. It shall be the duty of such City Physician to visit and prescribe for, and to furnish all necessary medicines and surgical appliances to all such poor within the city as he shall be directed to attend by the Superintendent of the Poor. He shall commence to attend upon such persons upon the order of said Superintendent and continue such attendance and furnish medicines therefor as long as the same shall be necessary, and in case of dispute the decision of said board shall be conclusive, and said physician shall obey the same.

Said City Physician may be removed at any time by vote of a majority of the members of the City Council.

All watchers and nurses and all food and other supplies for such sick, except medicines, shall be furnished by the city under the direction of said Board. Watchers and nurses to be furnished by the city.

SEC. 2. This ordinance shall take effect and be in force, from and after its publication.

Passed April 24th, 1880.

C. L. SNYDER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved April 27th, 1880.

A. C. RAND,
Mayor.

XLVIII.

AN ORDINANCE

REGULATING THE RATE OF SPEED OF LOCOMOTIVE ENGINES AND RAILROAD CARS.

As Amended August 22d, 1881.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no person or persons shall run or drive, or cause to be run or driven, any locomotive engine or engines, railroad cars or train of cars, within the limits of said city of Minneapolis, faster than at the rate of six miles per hour. Rate of speed of engines and cars.

Provided, however, That whenever any railroad company shall erect and maintain at all the street crossings on any continuous portion of the line of its railway, gates of a construction and location to be approved by the City Engineer, and the Committee on Railroads of said city, with a gate-keeper or watchman at each of such street crossings, and shall also erect and maintain by the sides of its railway and between such street crossings good close fences not less than six feet high; in such case the provisions of this section shall not apply to the lines of railway so protected by gates and fences. Proviso.

City may require bridges.

But nothing herein shall be construed to deprive the city of the right to require bridges on any such street on such terms and conditions as may be agreed on or determined by competent authority.

Penalty.

SEC. 2. Any person or persons violating the provisions or any provision of this ordinance, shall, upon conviction thereof before the Municipal Court of said city of Minneapolis, be punished by a fine not exceeding seventy-five dollars and not less than twenty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding ninety days.

SEC 3. This ordinance shall take effect and be in force from and after its publication.

Passed May 17th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 18th, 1877.

JNO. DE LAITTRE,
Mayor.

XLIX.

AN ORDINANCE

TO PREVENT THE INTRODUCTION OF CERTAIN CONTAGIOUS DISEASES INTO THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Horse or other animal diseased not to be brought in the city.

SECTION 1. No person shall bring within the limits of the city of Minneapolis, nor have nor keep therein, any horse or other animal having the disease known as the glanders. Any person who shall violate the provisions of this section, knowing, or having reason to believe that the horse or other animal by him brought or kept within said city, is so diseased, shall be guilty of a misdemeanor, and on conviction thereof shall be punished by fine not exceeding seventy-five dollars and the costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding sixty days.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed the Council November 8th, 1878.

ELWOOD S. CORSER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved November 8th, 1878.

A. C RAND,
Mayor.

L.

AN ORDINANCE

CONCERNING STREETS, SIDEWALKS AND ALLEYS, AND TO PREVENT INJURIOUS, DANGEROUS AND UNLAWFUL PRACTICES IN THE SAME.

As Amended May 17th, 1877, and as Amended August 21st 1878, and as Amended October 6th, 1880.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no person shall erect, build, set up, keep, or maintain any house, store, shop, or other building or structure, or leave, deposit or place, any boxes, merchandise, timber, planks, boards, shingles, casks, barrels, hogsheads, lumber, bricks, stone, trucks, carts, wagons, sleds, carriages, nor suffer or permit any pine or other wood or stones to drop from carts or wagons, or other vehicles, while transporting the same through the streets, and to remain on the streets; nor shall deposit or leave any offal, filthy water, garbage or other material or substance whatever, in or upon any street, sidewalk, avenue, alley, lane, or public ground within the limits of the city of Minneapolis; nor shall any person erect, build, set up, place or keep, any sign or wooden awning over any street or sidewalk in said city at a less height than twelve feet from and above such street and sidewalk; nor any cloth awnings at a less height than seven and one-half feet above such street or sidewalk.

Not to obstruct sidewalks or alleys.

That any cloth awning which has been constructed prior to the date of the passage of this ordinance, at a height of not less than seven feet above the street or sidewalk, be allowed to stand until the same shall be taken down, but no such awning shall be rebuilt at a less height than seven and one-half feet above the street or sidewalk.

SEC. 2. Whenever any article or thing of value enumerated in the foregoing section, or otherwise, shall be found remaining, left or deposited upon any street, sidewalk, avenue. alley, lane, or public ground within said city, it shall be the duty of the Chief of Police of said city to seize, take and remove the same to some secure place within said city, and to retain possession thereof, and to proceed to sell the same at public auction, giving at least six days' notice of the time and place of such sale, in writing, to be posted in three conspicuous places in said city, which notice shall contain a brief description of the articles to be sold. and the time and place of sale, which sale shall be made by the Chief of Police, or under his direction. The owner of such property, upon proving his title to the same, to the satisfaction of the Chief of Police, shall be permitted to reclaim the same upon the payment of one dollar for notices of sale, posted as above specified, and also all reasonable expenses and charges incident to or incurred by the Chief of Police in the removal, care and storage of said property, which fees and expenses the said Chief of Police is hereby authorized to charge and demand before delivering up the property. In case of sale of said property, upon proof of ownership thereof as aforesaid, the Chief of Police, at any time within one week from the sale, may pay over the proceeds of the sale to the owner, after first deducting therefrom the fees and expenses above specified; otherwise the Chief of police shall pay such overplus to the City Treasurer, and the City Council may at any time within six months thereafter, cause such overplus to be paid to the former owner of the property. The Chief of Police shall report to the City Council quarterly as to all property seized under this ordinance, the amount of expenses and charges thereon, and realized from sale or reclaiming of the property, and shall pay over all moneys received by him, except as above specified, to the City Treasurer.

Obstructions to be removed.

Chief of police to report to council.

SEC. 3. No person or persons, shall forcibly or otherwise interfere with the Chief of Police when in the discharge of any of his duties required by this ordinance, or forcibly re-take or remove from his custody any property seized by him under this ordinance.

SEC. 4. Any person or persons building or repairing any building near any street, avenue, alley or public ground in said city, or desiring to remove any building along any street or streets of said city, may apply to the Mayor for a license to place building material upon such street, lane, avenue, alley or public ground, during the

Building material on streets allowed when,

progress of such building or repairing; or to remove such building. And the Mayor may, in his discretion, when the necessities of the case seem to require it, grant such license under such conditions and restrictions (to be set forth in such license), as will, in his judgment, prevent needless inconvenience to the public. Such license shall be in writing, and may be revoked by the Mayor at will, but while in force shall protect the property from seizure, and the person or persons licensed from the penalties of this ordinance, so long as such person or persons shall rigidly observe the conditions and restrictions therein. Such license shall be presented to the City Clerk, and by him recorded in a book kept for that purpose; for recording which the person licensed shall pay the said clerk a fee of one dollar at the time of presenting such license to him, and until the license is so recorded it shall be of no force or effect; but in the removal of buildings, no building shall be permitted to be upon the track of any street railway, or so near the same as to obstruct the passage of cars at any time between the hours of five o'clock in the morning and eleven o'clock in the evening, nor shall any such building be allowed to stand in the same place in any street longer than twenty-four hours.

Provided, That no such permission shall be given to encumber with such material more than one third of the roadway of such streets, nor to permit such obstruction to remain for more than three months.

SEC. 5. No person or persons shall make any excavations in any of the streets, avenues, lanes, alleys or public grounds in said city, for any purpose, or remove the earth or soil therefrom, until he shall be first specially authorized to do so by permission of the City Engineer, with the two Aldermen of the ward wherein such excavation or removal of earth or soil is sought to be made, which permission shall be in writing and filed with the City Clerk, and no person, when so authorized, shall make any excavation until he shall erect a suitable guard or fence about the place of such excavation, sufficient to prevent persons or animals from being injured by falling into the same; and every person making such excavation shall, when the purposes of such excavation are accomplished, or when so ordered by the City Engineer, without delay fill up the same, so that it shall at least be in as good condition as before said excavation.

Excavation not to be made without permission.

SEC. 6. No person or persons shall leave, deposit, place or cause to be placed, left or deposited within or upon any street, avenue, alley, or public grounds of said city, any dead animals, or any animal, vegetable, excrementive or other substance which is offensive, or which by decomposition might become offensive; nor shall the same be left on any private ground, unless the same be buried at least three feet under the surface of the ground.

Offensive substances not to be left in streets

Goods, &c., not to suspend over sidewalk.

SEC. 7. No person or persons shall place or suffer to be placed upon or over any sidewalk in the city of Minneapolis, or suspend over any street in said city, any goods, wares, or merchandise for sale, show or otherwise, beyond the front line of the lot where such goods may be placed, suspended or exposed.

Of delivering goods on sidewalk.

SEC. 8. No person or persons receiving or delivering goods, wares or merchandise in the city of Minneapolis shall place or keep upon, or suffer to be kept, deposited or placed upon any sidewalk, any goods, wares or merchandise which he or they may be receiving or delivering, without leaving a passageway clear upon such sidewalk where such goods may be, of not less than four feet wide, for the use of foot passengers; and no person or persons receiving or delivering such goods shall suffer the same to be or remain on such sidewalk (subject, nevertheless, to the foregoing restrictions) for a longer period than twenty-four hours.

No auctions on sidewalks allowed.

SEC. 9. No person or persons shall sell or attempt to sell, or offer or cry for sale at a public auction in the city of Minneapolis, any goods, chattels, wares, merchandise or personal property whatever, to any person or persons, upon the sidewalks or streets within said city: nor shall any person, by ringing a bell, gong, or triangle, or any loud cries upon any of the streets or sidewalks, give notice of any auction or sale of any kind in said city. This section shall include licensed auctioneers of the city of Minneapolis or county of Hennepin; and it is hereby made the express duty of the Chief of Police, and all the police officers of said city, to cause the strict observance of this and all other ordinances relative to the obstruction of sidewalks and streets within the said city.

Concerning fastening animals at sidewalks.

SEC. 10. No person or persons shall at any time fasten any animals in such a way that the horse, animal, reins, lines, or the vehicle to which such horse or animal may be attached shall be an obstacle to the free use of any sidewalk or crossing in the city of Minneapolis; and all crossings, crosswalks, and sidewalks in said city shall be kept and reserved free from any sleighs, wagons, carts, carriages or other vehicles, and horses or other animals being placed or suffered to remain thereon, except so far as the same may be necessary in crossing the same.

Carriages on sidewalks prohibited.

SEC. 11. No person or persons shall drive, wheel, draw or push any cart, wheelbarrow, velocipede or other vehicle of burden or pleasure upon or along any sidewalk within the limits of said city, except for the purpose of crossing such sidewalk to go to or out of some adjoining enclosure.

Provided, This section shall not apply to children's carriages drawn by hand.

Teams not to stand across street.

SEC. 12. No person or persons shall stand with or permit any team under his care or control to stand across any public highway or street in said city in such manner as to obstruct the travel over the same, and no person shall stop with any team in any public street, at the side of or so near to another team as to obstruct public travel; and no person shall stop with any team or carriage upon or across any crosswalk or street in said city.

Of snow or ice in the street.

SEC. 13. No person or persons shall throw or put, or cause to be thrown or put, any snow or ice in any street, lane or alley within the limits of said city, unless the same shall be broken up and spread evenly over the surface of such street, lane or alley.

Fuel on sidewalk.

SEC. 14. No person shall suffer his firewood, coal or other fuel to remain unnecessarily on any sidewalk or in any street, lane or alley in the principally inhabited part of said city over night or after twilight in the evening; and in case it must of necessity so remain after twilight or through the night, the said owner shall place and keep a sufficient light over or near the same through the night, to prevent injury therefrom.

Coasting not allowed on sidewalks.

SEC. 15. No person or persons shall coast or slide upon any sled, board or other thing upon any sidewalk or footwalk in said city.

Amusements what not allowed.

SEC. 16. No person or persons shall, within the limits of any street or highway of said city, play at any game of ball or fly any kite or balloon, or throw any stone or missile, or engage in any other game, amusement or exercise interfering with the free, safe and convenient use of such street or highway by any person traveling or passing along the same; nor shall any person build or cause to be made any fire within the limits of any street or alley of said city.

Of animals on sidewalks.

SEC. 17. No person shall permit any goat, sheep, swine, horse, mule, ox or cow under his care or control to go upon any sidewalk in said city, except for the purpose of crossing such sidewalk to go to or from some adjoining enclosure.

Wood piles.

SEC. 18. No person shall saw any wood or pile the same on any sidewalk of any street or way in said city.

Fruit stands not allowed on the sidewalks.

SEC. 19. No person shall place or keep any table, stall, booth, or other erection, in any street, lane, alley or public place, or on any square or sidewalk in said city, for the sale of fruit or other things.

Defacement.

SEC. 20. No person shall wantonly mar, injure, deface or destroy any fence, guide-post, sign-board, awning, lamp-post, lamp or lantern, in any street, square, or public place in said city.

Injury to trees.

SEC. 21. No person shall cut down, remove, injure or destroy any fruit, shade or other trees growing or being in any public street, lane, alley, common or other public ground in said city,

without the permission of the Mayor and City Council; and no person shall fasten any horse or other animal to any such tree.

Gates and doors.

SEC. 22. No person shall allow any gate or door belonging to premises owned or occupied by him, or under his control, to swing on, over or into any street or highway in said city.

Of crowds.

SEC. 23. Three or more persons shall not stand together or near each other, in any street or on any footwalk or sidewalk in said city, so as to obstruct the free passage for foot-passengers, and any person or persons so standing shall move on immediately after a request to do so, made by the Mayor, Chief of Police, or any police officer or watchman.

Of standing teams.

SEC. 24. No person shall permit or suffer any horse, mule or team of any description, in his care or under his control, to be left standing in any street, lane or alley within said city, unless the same shall be in the immediate charge and custody of a suitable and competent person to control the same, or unless the same shall be securely fastened or hitched.

Fast driving.

SEC. 25. No person shall drive any horse or horses, mule or mules, or other animal or animals, in any street, lane or highway within the limits of said city, at a rate of speed exceeding eight miles per hour, excepting on the Fair Grounds located at the east end of said city, and Park Avenue, from Tenth Street to its limit.

Of safety and convenience in driving.

SEC. 26. No person shall ride or drive any horse or horses, or other animals within said city, in such a manner as to endanger or unreasonably incommode any person; and when any street, lane or other public place is crowded with teams, wagons or other vehicles, or through which any civic, military or funeral procession is passing, any person having charge of any horse, team, wagon or other vehicle, shall obey any order for the removal of such horse, team, wagon or other vehicle, given by the Mayor, any Alderman, Chief of Police or any police officer.

Lamp post not to be hitched to

SEC. 27. No person shall hitch any horse or horses, or other animals, to any lamp-post standing on any street, lane or alley, or public ground or highway of said city.

Of standing cars.

SEC. 28. No person or persons shall obstruct any street or alley in said city by leaving, placing, keeping, or causing to be left, placed or kept, any car on any street or alley, for the purpose of loading or unloading the same, or for any purpose or object whatever.

Of trains stopping across streets.

SEC. 29. No person shall stop or cause to be stopped any train of cars, car or engine across any street or alley in said city, except a sufficient time to couple and separate the cars, not exceeding five minutes.

Penalty.

SEC. 30. Whoever shall violate, offend against, or fail to comply with the provisions or any provision of this ordinance, shall, upon conviction thereof before the Municipal Court of said city, be

punished by a fine not exceeding fifty dollars and costs of prosecution, and be imprisoned until such fine and costs are paid, not exceeding sixty days.

SEC. 31. No person shall be prosecuted for any offense against any of the provisions of this ordinance, unless complaint for the same shall be instituted and commenced within three months from the time of committing such offense.

SEC. 32. All ordinances or parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

SEC. 33. This ordinance shall take effect and be in force from and after its publication.

Passed April 26th, 1873.

E. W. CUTTER,

Attest: *Vice-President of the Council and President pro tem.*

CHARLES W. JOHNSON,

City Clerk.

Approved April 29th, 1873, GEO. A. BRACKETT,

Mayor.

LI.

AN ORDINANCE

TO PROVIDE FOR THE SEALING OF WEIGHTS AND MEASURES.

As Amended June 18th, 1879.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. There shall be appointed by the City Council of the city of Minneapolis, in the month of April of each year, or as soon thereafter as may be, a City Sealer of Weights and Measures, who shall hold his office until the first day of May of the year next following his appointment, and until his successor shall be appointed and qualified. He shall before entering upon the duties of his said office, give a bond to the city, signed by two sureties, to be approved by the City Council, in the sum of five hundred dollars, conditioned for the faithful performance of the duties of his office.

Sealer of weights and measures to be appointed when.

SEC. 2. The said City Sealer of Weights and Measures shall procure at the expense of the city, a complete set of weights and measures, which shall be tried, proved and sealed by those in the office of the County Treasurer, and by him certified, and when so sealed and certified, such weights and measures shall be the city standard. Such weights and measures shall be tried, proved and sealed by the county standard once in every two years. Such City Sealer shall, during the months of May and June in each and every year, or as soon thereafter as may be, visit the place of business of every person or firm engaged in any business, trade or occupation requiring the use of weights and measures, and then and there try, prove and seal all scalebeams, steelyards, weights and measures when found to be accurate by stamping upon them the letters "M n" with a seal he shall have and keep for that purpose. The said City Sealer of Weights and Measures shall keep a record which shall be open for public inspection. Said record shall contain entries under proper headings of all scalebeams, steelyards, weights and measures sealed by him, together with owner's name and dates, when so sealed. He shall also present to the City Council at its annual meeting in April in each year, and oftener if required by the Council, a full report of his official acts. And for such trying and proving, whether sealed or not, he shall receive a fee of five cents for every scalebeam, steelyard, weight or measure, to be paid to him by the owner or user of the same.

Duty of sealer of weights and measures.

SEC. 3. If said City Sealer of Weights and Measures shall affix the said stamp or seal upon any scalebeam, steelyards, weight or measures without first making an actual trial and proof of the same for each and every article so sealed or stamped he shall, on conviction thereof, be removed from his office, and be punished by a fine of one hundred dollars, and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding ninety days.

Penalty.

SEC. 4. If any person other than such City Sealer of Weights and Measures, or such sealer as may be provided for by state law, shall affix the said seal or stamp or any imitation or likeness thereof, to any scalebeam, steelyards, weight or measure; or if any person shall use any such scalebeam, steelyard, weight or measure, knowing the same to have been so unlawfully sealed or stamped, he shall be punished by a fine of one hundred dollars, and costs of prosecution, and may be imprisoned until such fine and costs be paid, not exceeding ninety days.

Penalty.

SEC. 5. All persons engaged in any business, trade, or occupation requiring the use of weights or measures shall, on or before the first day of July, annually, cause to be tried, proved and sealed by said City Sealer of Weights and Measures, or such other sealer of weights and measures as shall be authorized by law, all scalebeams,

All persons using weights and measures shall have same proved and tried when.

steelyards, weights or measures used by them in buying or selling dry goods, wares, merchandise, grain or other commodities.

SEC. 6. If after the expiration of two months from the publication of this ordinance any person shall buy, sell or dispose of any goods, wares, merchandise, grain or other commodities by any scalebeams, steelyards, weights or measures not proved nor sealed in accordance with this ordinance, or in accordance with the laws of the state in that behalf, such person shall, upon conviction thereof, be punished by a fine of not less than five nor more than one hundred dollars and costs of prosecution.

Penalty for breach of ordinance.

SEC. 7. The said City Sealer of Weights and Measures shall be authorized and it shall be his duty to perform all and the same duties upon the request of any aggrieved party and upon the same restrictions, conditions and penalties as are required of County Sealers of Weights and Measures, or their deputies, by section eleven (11) of chapter twenty-one (21) of general statutes of Minnesota, as amended by act of the legislature approved March 9th, A. D. 1874.

Same duties as county sealer of weights and measures.

SEC. 8. Whenever said City Sealer of Weights and Measures shall have knowledge of any violation of the provisions of this ordinance, or of any other ordinance providing for the use of sealed weights and measures, it shall be his duty to make complaint to the Municipal Court of said city against the party or parties guilty of such violation, and for making such complaint he shall be entitled to a fee of one dollar.

Duty to make complaint when.

SEC. 9. This ordinance shall take effect and be in force from and after its publication.

Passed May 7th, 1879.

A. R. CAMP,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved May 8th, 1879.

A. C. RAND,
Mayor.

LII.

AN ORDINANCE

TO PROVIDE FOR THE PUNISHMENT OF THE USE OF FALSE WEIGHTS AND MEASURES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. If any person shall within this city buy, sell or dispose of any goods or commodities, wares, grains or merchandise, by the use of any scale beam, steelyards, weight or measure that is unjust or incorrect, knowing the same to be inaccurate, or shall in such purchase or sale knowingly give any false weight or measure, he shall be punished by a fine of one hundred dollars and costs of prosecution and may be imprisoned until such fine and costs are paid not exceeding ninety days.

Penalty.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed May 7th, 1879.

A. R. CAMP,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved May 8th, 1878.

A. C. RAND,
Mayor.

LIII.

AN ORDINANCE

RELATING TO THE POLICE DEPARTMENT.

As Amended May 17th, 1877.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Police Department of the City of Minneapolis shall consist of a Chief of Police, police officers or watchmen, and as many additional police officers or watchmen as the City Council may from time to time by resolution authorize. It shall be the duty of the Chief of Police, under the direction of the Mayor, to divide the subordinate police and watchmen into proper watches, and to assign them their place of duty, and the time when they shall respectfully be on duty, and ascertain by personal daily inspection whether the police and watchmen are faithfully discharging their duty, and report to the Mayor any negligence or refusal to discharge the same, and also to discharge the other ordinary duties of a police officer.

SEC. 2. The Chief of Police shall have precedence over the police officers and watchmen, whenever engaged in the same service, and they shall at all times, when on duty, be subject to his command and control.

Police to serve process, to report violations of law &c

It shall be the duty of the police force of the city of Minneapolis, and of each and every policeman, to serve all warrants and processes delivered to such policeman for service in said city, and which by law he is authorized to serve, and to notice and diligently inquire into and report to the Chief of Police and City Attorney, all violations of the city ordinances, violations of the criminal laws of the State, and breaches of the peace, and to make complaint against the person or persons guilty thereof, and to attend punctually on all trials of offenses in regard to which complaint has been made by any policeman, to ferret out all suspicious or disorderly houses in the city, to visit all parts of the city where disturbances or breaches of the peace, or violations of any ordinances, are occurring or likely to occur; to arrest without warrant any person or persons who shall be found in the streets of said city in a state of intoxication, or who are fighting, quarreling, threatening, swearing, pilfering or robbing, or who shall be making

To make complaint when.

To arrest without warrant when.

or uttering loud cries or noises, or doing any act to disturb the peace or good order of the community, or who he or they shall have good cause to believe is about to commit any unlawful act, and bring such person or persons before the Municipal Court of said city to be dealt with according to law; to abate or remove or cause to be abated or removed, all nuisances within the limits of the city, when required by the City Council, and to prosecute all persons guilty of maintaining the same; to preserve and safely keep all moneys or property which may be found upon the person, in possession of, or claimed by any person arrested for crime, and pay or deliver over the same by the order of said Municipal Court of said city, and forthwith, after taking the same, to report in writing the kind and amount thereof, to said Municipal Court. And it shall be the imperative duty of each policeman to be active and vigilant in enforcing the several provisions of all the ordinances of the city that may be now or hereafter in force, and may and shall, if necessary, call to his aid any person or persons above the age of twenty-one years to assist him therein, and any such person or persons who shall refuse to give assistance when so called upon shall, upon conviction thereof before said Municipal Court, forfeit and pay a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

SEC. 3. Any policeman after making any arrest, with or without warrant, shall take the person or persons so arrested without any unreasonable delay before the Municipal Court of the city of Minneapolis, to be dealt with according to law and the ordinances of the city.

Provided, That if such arrest be made on Sunday or after sunset, or before 9 o'clock in the forenoon of any day, then in such case the person or persons so arrested shall be confined in the city jail, or city watch-house, or such other secure place as may be provided or obtained for that purpose, until 9 o'clock in the forenoon next following such arrest, or until such time as the Municipal Court may direct, in pursuance of law and the ordinances of said city for hearing the charge and complaint against such person so arrested.

Duty of officer after arrest.

Cheif of police to keep a book at his office for entry of complaints.

SEC. 4. It shall be the duty of the Chief of Police to keep a book at his office, in which any person may enter a complaint for the violation of any city ordinance, naming the person accused of violating the same, if known, and the offense committed; and the person making complaint shall sign his name thereto, and it shall be the duty of the Chief of Police to take immediate measures to have the ordinance, a breach of which is complained of, enforced, and the person or persons violating the same dealt with according to law.

Duty of Chief of police on complaint made.

SEC. 5. Whenever, in the judgment of the Mayor of the city of Minneapolis, it shall be necessary for the preservation of the public peace and order to increase the police force of the city temporarily, the Mayor shall have power and is hereby authorized to appoint in writing such number of persons as he may think necessary to accomplish the object above stated, to be called "special policemen," and the appointment shall designate the time for which, and the place where their services are to be rendered. The person therein named shall accept in writing such appointment, and the same shall be forthwith filed with the City Clerk.

Special policemen may be appointed when.

SEC. 6. At the next meeting of the City Council after such appointments have been made and filed as herein provided, the Clerk shall report to the Council all appointments made and filed with him of special policemen, and the Council shall have power to revoke any such appointments by resolution, and after such revocation, the person whose appointment is revoked shall no longer have authority to act as policemen.

Report to be made to city council of all appointments on police force.

SEC. 7. Any persons appointed special policemen, as aforesaid, shall, during the time for which they were appointed (unless their appointment be revoked), have authority to serve process and make arrests and do all acts authorized by law to preserve the public peace and order, that other policemen in said city have, and their duties and obligations in that regard shall be the same.

Authority of special policemen.

SEC. 8. This ordinance shall take effect and be in force from and after its publication.

Passed June 18th, 1873.

E. W. CUTTER,

Attest: *Vice-President of the Council and President, pro tem.*

CHARLES W. JOHNSON,

City Clerk.

Approved June 21st, 1873. GEO. A. BRACKETT,

Mayor.

LIV.

AN ORDINANCE

RELATIVE TO FIRE WORKS AND DISCHARGE OF FIRE ARMS WITHIN CITY LIMITS.

The City Council of the City of Minneapolis do ordain as follows:

Discharging of fire works and fire arms prohibited.

SECTION 1. No person shall hereafter explode, burn or fire off any rocket, fire-cracker, Roman candle, or other species of fire-works or pyrotecnic display within the corporate limits of the city of Minneapolis. Nor shall any person fire off, discharge or explode any gun, pistol, or other weapon, except as provided in this ordinance, within said city limits.

May grant permission when.

SEC. 2. Any person, corporation or association desiring to fire any salute, or exhibit any display of fireworks within the limits of said city, shall obtain the permission of the City Council or Mayor of said city to the firing of such salute or display of such fire-works, which permission shall be in writing and shall designate the place where and the time when such salute shall be fired, or such display of fire-works shall take place.

Ordinance not to apply when.

SEC. 3 Nothing in this ordinance shall be construed to embrace any firing of a gun, pistol or other species of fire-arms when done in the lawful defense of person, property or family, or in the necessary enforcement of the laws.

Penalty.

SEC. 4. Any person violating any of the provisions of this ordinance shall, upon conviction before the Municipal Court of said city, for each and every offense be punished by a fine of not less than one or more than seventy-five dollars and costs of prosecution, and be imprisoned until such fine and costs are paid, not exceeding ninety days.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed May 17th, 1877.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved May 18th, 1877.

JOHN DE LAITTRE,
Mayor.

LV.

AN ORDINANCE

GRANTING TO THE CHICAGO, ST. PAUL, MINNEAPOLIS AND OMAHA RAILWAY COMPANY THE RIGHT TO CROSS CERTAIN AVENUES WITH ITS RAILWAY TRACKS; AND ALSO TO TEMPORARILY CONSTRUCT AND USE FOR RAILWAY PURPOSES ITS RAILWAY TRACKS UPON AND ALONG A PART OF RIVER STREET IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. There is hereby granted to the Chicago, St. Paul, Minneapolis and Omaha Railway Company, its successors and assigns, the right to construct, maintain and use for railway purposes one track of its railway, across Third Avenue North, and two or more tracks across Fourth Avenue North and Fifth Avenue North, in the City of Minneapolis; but such tracks shall cross said avenues at points Northeast of a line running through the centres of blocks number seven (7), eight (8), and nine (9), of Minneapolis, as platted; and said Railway Company, its successors and assigns shall keep the traveled portion of Third and Fourth Avenues North, where the same shall be crossed by such tracks well planked between its tracks, and between the rails of each of its tracks, and in good condition for the crossing of teams; and shall not permit its cars to be left standing upon the crossing of either of the two avenues last above named.

Right granted to construct tracks, where.

SEC. 2. There is hereby granted to the Chicago, St. Paul, Minneapolis and Omaha Railway Company, its successors and assigns, temporarily and until the City Council of the city of Minneapolis shall otherwise ordain, the right to construct, maintain and use for railway purposes its railway tracks upon and along that portion of River Street, in the city of Minneapolis passing through and between lands owned by said company, or occupied by it for railway purposes, and lying between Bassett's creek and the line of the St. Paul Minneapolis and Manitoba Railway, to such number as said company may deem necessary or convenient.

Right granted to construct track on River street.

SEC. 3. The grant made in the foregoing second section of this ordinance is made upon the express condition that the City Council of the city of Minneapolis has and reserves to itself, the right at

Conditions of grant.

any time hereafter to amend, change or repeal said second section of this ordinance, or modify the same as it may deem advisable; and that upon any such amendment, change or repeal all rights of the Chicago, St. Paul, Minneapolis and Omaha Railway Company upon said River Street, under or by virtue of said second section of this ordinance shall cease and determine, except so far as such rights may be continued by the ordinance which makes such amendment, change or repeal; and no use or occupancy of said River Street by said last named company, under the said second section of this ordinance shall have the effect, or be in any way construed to have the effect of passing to, or vesting in such company any permanent right to use, occupy or keep or maintain railroad tracks in said River Street; or to do so any longer than such permission shall be continued by said City Council. And this temporary grant is made upon the further condition that nothing therein shall be construed as granting to such company the right to leave cars standing upon its tracks upon said River Street, between the continuation towards the Mississippi river of the boundary lines of Fourth Avenue North across said River Street, or to otherwise improperly obstruct the crossing of said River Street by said Fourth Avenue North.

Rights of city not to be changed.

SEC. 4. It is the true intention and meaning of the second and third sections of this ordinance, that neither the rights of said city nor of said company are to be in any way permanently changed, added to nor diminished by virtue of the said second and third sections of this ordinance; but that the rights granted by said second section are, and are intended to be merely temporary, and as a matter of convenience to stand until in the judgment of the City Council of said city the interests of said city in view of the development of railroads, shall require, or render advisable some change. And no rights granted to said company by said second section shall vest in said company until it shall execute and file with the City Clerk of said city, an instrument in writing approved by the Mayor of said city accepting the terms of this ordinance and agreeing to abide by its terms and conditions.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed June 20th, 1881.

F. L. SMITH,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved June 27th, 1881.

A. C. RAND,
Mayor.

LVI.

AN ORDINANCE

CHANGING THE GRADE OF CERTAIN STREETS TO ENABLE THE ST. PAUL, MINNEAPOLIS & MANITOBA RAILWAY COMPANY TO COMPLY WITH THE ORDINANCE GRANTING RIGHT OF WAY OVER CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. In order to enable the St. Paul, Minneapolis & Manitoba Railway Company to comply with the conditions and requirements of the ordinance granting to said company the right of way over certain streets in the city of Minneapolis, and to facilitate the compliance of said company with the provisions of said ordinance in respect to laying and maintaining said railway tracks below the grade of the certain streets named, the grade of the streets named as follows, and at the points herein named, is hereby changed and re-established as follows:

Changing grade of certain streets.

The grade of Fifth Street Southeast at the crossing of said railway tracks is hereby established at one hundred and thirty-three feet above the datum heretofore by ordinance of said city established for the fixing of streets.

The grade of Sixteenth Avenue Southeast at the crossing of said railway tracks, is established at one hundred and thirty-three feet above said datum, and at the crossing of Fourth Street Southeast at one hundred and twenty-three feet above said datum.

The grade of Fourth Street Southeast at the crossing of said railway tracks is established at one hundred twenty-nine feet above said datum, and at the crossing of Fourteenth Avenue Southeast at one hundred twenty-one feet above said datum.

The grade of third Street or University Avenue at the crossing of said track is established at one hundred and twenty-five feet above said datum, and at the junction of Thirteenth Avenue Southeast at one hundred twenty-one feet above said datum. The grade of Sixth Avenue Southeast at the crossing of said tracks near said bridge is hereby established at twenty feet above the present roadway at the end of said bridge, at said crossing on Main Street at one hundred sixteen feet above said datum.

SEC. 2. This ordinance shall take effect and be in force from and after the commencement of work on the bridges named in said ordinance.

Passed February 2d, 1881.

CYRUS L. SNYDER,
President of the Council.

Attest:
F. L. SMITH,
City Clerk, pro tem.

Approved February 2d, 1881. CYRUS L. SNYDER,
Acting Mayor.

LVII.

AN ORDINANCE

ESTABLISHING A CITY MARKET.

As Amended December 8th, 1876.

The City Council of the city of Minneapolis do ordain as follows, viz..

That Whereas, It is deemed a matter of public interest and benefit that a Market House be established in the city of Minneapolis;

And Whereas, It is deemed impracticable for said city to purchase ground and erect such Market House for a considerable time to come.

And Whereas, Certain persons, to-wit: Harlow A. Gale and Peter Wolford, have proposed to erect by the first day of August, 1876, a suitable building to be used as a public Market House, according to certain plans and specifications presented to the Council as part of a contract to be entered into by said parties with the city of Minneapolis, said building to be erected at the expense of said parties, and upon certain ground by them owned, and described as lots four (4), and the southwesterly half of lot five (5), in block twelve (12), in the town of Minneapolis, at the corner of Hennepin Avenue and First street, in the West Division of said city, upon condition that said city shall establish said building as a public market for the period of fifteen years

Proposition to erect market house.

from and after the completion of said Market House, and shall establish no other market in said city during said period, except that after three years markets may be established in the East Division of the city, and after five years in such portions of the West Division as lie north of Bassett's Creek, south of Sixth Auenue South, and southwest of Tenth street; Conditions.

And Whereas, Said parties have contracted to sell said property to the city at any time it may desire to purchase, at an agreed or appraised price.

SECTION 1. That the said Market House, if erected by August 1st, 1876, upon lot four (4), and the southwesterly half of lot five (5), in block twelve (12), in the town of Minneapolis, according to the recorded plat of the same, is hereby established and designated as a Public Market; and so much of the streets adjacent to said Market House as are necessary to allow one line of teams and wagons to back against the sidewalks along said building, and beyond the same if further room be needed, the owners of the abutting property first consenting thereto, is hereby designated and established as a Public Market Place of the city of Minneapolis, and subject to all the regulations and provisions of this ordinance. Public market established.

SEC. 2. The City Council shall, after this ordinance goes into effect, appoint such proper person as may be nominated to it by the said owners of said Market House, or their assigns, a Market Master, who shall have the charge and supervision of said Market House and Place, and be appointed and commissioned by the Mayor as a policeman, but not receive any compensation from the city, and not to be required to do any duty as policeman, except in connection with his duty as Market Master; and that the owners of said Market House shall have the power to discharge said Market Master and nominate any other proper person to the Council, and it may appoint the same Market Master as aforesaid. Council shall appoint market master.

SEC. 3. No person shall use, occupy, or cause to be used or occupied any stall or stalls, or place or places, in the Public Market as established by this ordinance, or use or occupy any stand, bench, stall or allotted place in or about the market place of said Public Market, unless such person shall have paid the Market Master such sum or sums of money as the Common Council may authorize, as rent therefor. Rent of stalls must be prepaid.

SEC. 4. It shall be the duty of the Market Master to keep a record of the number of stalls so leased, and the names of the lessees; and it shall be the duty of all persons transfering leases to stalls to notify the Market Master, who shall, upon the receipt of the sum of five dollars, transfer the same as desired; and no stall shall be used or occupied by any one except the lessee, until after Duties of market master.

the payment to the Market Master of the sum of five dollars and the transfer of the lease.

SEC. 5. No person shall hold more than two stalls at the same time in said Market House.

Market house to be open when.

SEC. 6. The said Market House shall be kept open every day, Sunday excepted, from the first day of November to the fifteenth day of April, from daylight till 8 o'clock at night; and from the fifteenth day of April to the first day of November, from daylight till 12 o'clock in the forenoon.

Provided, That from the fifteenth day of April to the first day of November, on every Saturday, the said Market House shall be re-opened at 4 o'clock p. m., and remain open till 10 o'clock p. m.

Duties of occupants of stalls.

SEC. 7. Every occupant of any stall, bench, stand or space in said Market House or Places, shall, within one hour after the closing of the markets, cause his provisions and vehicle, if he have one, to be removed from the Market Place, and his stall, stand, bench or space, to be thoroughly cleaned, and all animal or vegetable rubbish to be removed from the Market Place; and each butcher shall cause his tables, meat block and fixtures, to be thoroughly scraped and cleaned.

Occupants shall remove all offals, &c.

SEC. 8. Every person occupying a stall in said Market House shall procure and place in such stall a suitable cask or tub, in which he shall deposit, or cause to be deposited, the offals of all slaughtered animals brought or caused to be brought by him therein; and such person shall, within an hour after the closing of the Market House, remove or cause to be removed therefrom all such offals as aforesaid.

Market house to be cleansed when.

SEC. 9. The Market Master shall cause the Market House in which the market has been held, to be thoroughly cleansed in the afternoon of the same day such market has been held.

SEC. 10. All provisions or vegetables offered for sale in said Market House, or upon said Market Place, shall be placed on stands elevated from the ground, in such manner as the Market Master may direct; and if any such provisions or vegetables

Unwholesome provisions or vegetables to be removed.

shall be deemed by said Market Master to be unwholesome or unfit to be consumed or used, he shall order the owners thereof to remove the same immediately from the public market; and if such owner shall neglect or refuse to remove such provisions or vegetables as aforesaid, it shall be the duty of said Market Master to remove the same without delay.

SEC. 11. No person shall ride, drive, lead or place any horse or other animal into or upon any Market House, place or footing pertaining thereto, or kill or slaughter any animal in market, throw or deposit any animal or vegetable offal, filth, meat, dead animal or fowl or fish, or noisome substance, in or about the Market House Place.

Position of vehicles.

SEC. 12. All vehicles in which articles are brought to market for sale, shall be placed in such position as the Market Master shall direct in said market place.

Removal of vehicles when.

SEC. 13. Whenever any person who is not the renter of a stall, or licensed to occupy a stand, bench or space, shall have sold or disposed of the commodities brought by him to market for sale, he shall forthwith remove his vehicle from the market place.

No Sunday sales.

SEC. 14. No person shall expose or offer for sale any article in a market on Sunday.

Liquor selling prohibited.

SEC. 15. No stalls in said market shall be rented or used for the purpose of selling or giving away any wines or spirituous, intoxicating or fermented liquors.

Smoking prohibited.

SEC. 16. No person, not having lawful business in market, shall idly sit, lounge, walk or lie in or about the Market Place; nor shall the smoking of tobacco be allowed in said Market House during market hours.

Drunken persons and dangerous animals prohibited.

SEC. 17. No person in a state of intoxication shall go upon said market place during market hours, nor shall any person bring or suffer to come with him, into or upon said Market Place during market hours, any unruly or dangerous animal.

Concerning sale of vegetables on streets.

SEC. 18. No person shall hawk, peddle or vend vegetables or small fruits in the city of Minneapolis, or upon or along the public streets or highways, from vegetable wagons or carts prior to ten o'clock A. M., except at said Market Place or market in said city.

Provided, That between the 15th of October and the 15th of June, no vegetables or fruits shall be sold upon or along the public streets of said city, but only on said market place.

Regulating sale of fish.

SEC. 19. That a suitable portion of said market be set apart for the exclusive sale of fresh fish in the city, and no person shall hawk, peddle or sell fresh fish in the city of Minneapolis, from wagons or carts, or other vehicles, except at said market place; and all fresh fish offered for sale in the city shall be inspected by said Market Master before being so offered.

Provided, That between November 1st and April 1st, after 10 o'clock A. M., fish may be so peddled after having been so inspected.

Of meats, game and poultry.

SEC. 20. No person shall hawk, peddle or vend meats, game or poultry, in the streets of the city of Minneapolis, except at said Market Place, but this not to be construed as preventing butchers having stalls in the market or shops in the city from selling from carts, meats, game and poultry in the ordinary manner, and meats shall not be sold at said Market Place in less quantities than the quarter, except in the stalls of said market house.

Horses, cows, &c. not to be sold when.

SEC. 21. No person shall expose or offer for sale in said market any horse, cow, ox, mule, jack or live hog, unless especially designated and permitted by an ordinance to that effect.

Of calves and sheep.

SEC. 22. No person shall sell or expose for sale in said market house any live calves or sheep, nor shall any butcher or other person, tether or tie, or otherwise confine any calf or sheep or poultry (except in coops) and suffer them to remain in that condition in said Market House.

Of seizures.

SEC. 23. The Market Master shall seize all articles which are exposed or offered for sale in market that are of less weight than represented by the seller, and all articles attempted to be sold by false or incorrect weights or measures, and shall sell the same at public auction to the highest bidder, and pay the proceeds into the city treasury.

Market master to keep scales.

SEC. 24. The Market Master shall keep, at some convenient place, the necessary scales or other implements for weighing and measuring, duly tried and tested, with which he shall, without charge, whenever requested by parties purchasing, weigh and measure any article presented for that purpose.

May remove persons when.

SEC. 25. The Market Master shall have authority to order and remove any person from the market who is guilty therein of any violation of this ordinance, or who shall fail to obey any legal orders of that officer.

Position of wagons.

SEC. 26. All wagons and other vehicles from which articles shall be offered for sale by persons attending the market, and the horses and empty vehicles of persons having stalls or stands in the market, shall be placed only in those streets and parts of streets which may be appropriated therefor, and shall be arranged under the direction of the Market Master, so that no animal shall stand within five feet of any crossing.

In regard to hitching horses &c.

SEC. 27. It shall not be lawful for any person to leave any wagon or other vehicle or horse, or suffer the same to stand or remain within any of the market spaces, except such horses or vehicles as are, by the direction of the Market Master, stationed as aforesaid; nor shall it be lawful for any person to tie or fasten any horse or other beast to the railing or other part of said Market House; nor break, injure or deface in any way any part of said Market House, or other fixtures or apparatus belonging thereto, nor to drive any vehicle, nor to ride or drive any animal through or on the floor of any market house in said city.

Licenses to be forfeited when.

SEC. 28. If any lessee of any stall, or any person having a license to occupy any stand, bench or space in said Market House or place, shall be twice convicted of any violation of any ordinance in relation to markets, his lease or license shall, upon the second conviction, be adjudged to be forfeited.

Concerning boxes, &c. on sidewalk.

SEC. 29. No person shall put or place any box, barrel, bench or other article, on the market space, street or sidewalk where market is held during market hours, except it be located under the direction of the Market Master.

Provided, That no obstruction shall be placed on the sidewalks more than four feet from the curb line thereof.

SEC. 30. The rates of fees and charges for the rental of the stalls in said building and standing places adjacent thereto, are hereby fixed for the year commencing June 1st, 1876, at the following rates to-wit: Rates of fees fixed.

Two hundred dollars for each stall, and twenty-five cents per day for standing room for wagons or other vehicles for the sale of meats or fish, and ten cents per day for vehicles for the sale of vegetables or small fruits.

Provided, That the owners of said Market may contract for less rates if they so elect, and provided, that the stall rents shall be due and collectable one quarter in advance of occupancy; and all other fees and rents provided for in this ordinance, all in advance of occupancy.

SEC. 31. It shall be the duty of the Market Master, under the direction of the Committee on Markets, to cause the Market House to be kept neat and clean; to cause wagons, teams and other vehicles to be placed in the market streets, so as best to suit the convenience of the public and of buyers and sellers; to take charge of and safely keep the weights and measures belonging to the Market House, and neither use nor suffer the same to be used for any other purpose than that of testing any suspected weights and measure; to preserve order during market hours; to prevent and remove all obstruction in said market, and nuisances found therein; and to remove all vagrant and disorderly persons found loitering in and about said Market House; to adjust and arrange the stands and situations for the sale of all articles not sold from wagons or rented stalls; and it shall be the specified duty of said Market Master to cause all the provisions of this, and all other ordinances that may be passed relating to markets, to be observed and obeyed, and to cause all violations of the same to be presented before the Municipal Court; and to make all seizures authorized by this ordinance. Duties of market master.

SEC. 32. The Market Master, under the direction of the Committee on Markets, shall have entire supervision over the markets, and shall assign stands to all those attending markets from time to time.

SEC. 33. Every person who shall resist said Market Master in the lawful discharge of the several duties imposed upon him by this ordinance, shall be fined, upon conviction thereof before the Municipal Court, in a sum not exceeding fifty dollars. Penalty.

SEC. 34. Any person who shall, in any particular, violate any provision of this ordinance, shall, on conviction thereof before the Municipal Court, be fined in any sum not exceeding one hundred dollars for every such offense, and shall be imprisoned until such Penalty.

fine and the costs of prosecution are paid, but not exceeding thirty days.

SEC. 35. All ordinances and parts of ordinances inconsistent with any of the provisions of this ordinance are hereby repealed so far as they affect the same.

SEC. 36. This ordinance shall take effect and be in force from and after the 15th day of June, 1876.

Passed March 27th, 1876.

W. E. JONES,
President of the Council.

Attest:

FRANK J. MEAD,
City Clerk.

Approved April 10th, 1876.

O. C. MERRIMAN,
Mayor.

LVIII.

AN ORDINANCE

CHANGING THE NAMES AND DESIGNATIONS OF STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the streets and avenues in the East Division of said city shall hereafter be known and designated as follows:

Names of streets and avenues in East Division.

That the street heretofore known as Bay street, together with so much of Mill street as lies northeast of its junction with said Bay street, and the street across Nicollet Island, known as Bridge street, are hereby united as one street, and shall hereafter be known and designated by the name of Central Avenue.

That Linden street shall hereafter be known and designated as First Avenue Northeast.

That Oak street shall hereafter be known and designated as Second Avenue Northeast.

That Dakota street shall hereafter be known and designated as Third Avenue Northeast.

That Todd street shall hereafter be known and designated as Fourth Avenue Northeast.

That Dana street shall hereafter be known and designated as Fifth Avenue Northeast.

That Wood street shall hereafter be known and designated as Sixth Avenue Northeast.

That St. Paul street shall hereafter be known and designated as Seventh Avenue Northeast.

That St. Anthony street shall hereafter be known and designated as Eighth Avenue Northeast.

That St. Peter street shall hereafter be known and designated as Ninth Avenue Northeast.

That St. Martin street shall hereafter be known and designated as Tenth Avenue Northeast.

That St. Genevieve street shall hereafter be known and designated as Eleventh Avenue Northeast.

That St. Mary's street and Prairie street and Green street shall hereafter be known and designated as Twelfth Avenue Northeast.

That Brewer street and Grove street and Winter street shall hereafter be known and designated as Thirteenth Avenue Northeast.

That Lake street and Summer street shall hereafter be known and designated as Fourteenth Avenue Northeast.

That Vine street and Atkinson street shall hereafter be known and designated as Fifteenth Avenue Northeast.

That Orth street and Madison street shall hereafter be known and designated as Sixteenth Avenue Northeast.

That Hechtman street and Grape street shall hereafter be known and designated as Seventeenth Avenue Northeast.

That Mill street, south of its junction with Bay street, shall hereafter be known and designated as First Avenue Southeast.

That Pine street shall hereafter be known and designated as Second Avenue Southeast.

That Cadar street shall hereafter be known and designated as Third Avenue Southeast.

That Spruce street shall hereafter be known and designated as Fourth Avenue Southeast.

That Spring street shall hereafter be known and designated as Fifth Avenue Southeast.

That Maple street shall hereafter be known and designated as Sixth Avenue Southeast.

That Walnut street shall hereafter be known and designated as Seventh Avenue Southeast.

That Aspen street shall hereafter be known and designated as Eighth Avenue Southeast.

That Birch street shall hereafter be known and designated as Ninth Avenue Southeast.

That Willow street shall hereafter be known and designated as Tenth Avenue Southeast.

That Elm street shall hereafter be known and designated as Eleventh Avenue Southeast.

That "A" street shall hereafter be known and designated as Twelfth Avenue Southeast.

That "B" street shall hereafter be known and designated as Thirteenth Avenue Southeast.

That "C" street shall hereafter be known and designated as Fourteenth Avenue Southeast.

That "D" street shall hereafter be known and designated as Fifteenth Avenue Southeast.

That "E" street shall hereafter be known and designated as Sixteenth Avenue Southeast.

That "F" street shall hereafter be known and designated as Seventeenth Avenue Southeast.

That "G" street shall hereafter be known and designated as Eighteenth Avenue Southeast.

That "H" street shall hereafter be known and designated as Nineteenth Avenue Southeast.

That Sixth street in St. Anthony city shall hereafter be known and designated as "A" street.

That Fifth street in St. Anthony city shall hereafter be known and designated as "B" street.

That fourth street in St. Anthony city shall hereafter be known and designated as "C" street.

That Third street in St. Anthony city shall hereafter be known and designated as "D" street.

That Second street in St. Anthony city shall hereafter be known and designated as "E" street.

That First street in St. Anthony city shall hereafter be known and designated as "F" street.

That Water street in St. Anthony city shall hereafter be known and designated as Cheever Landing.

That Bluff street, Prospect street and Main street shall hereafter be one street, and known and designated as Main street.

That River street shall be united with and become a part of Water street, and the two streets so united shall be known and designated as Water street.

That Pembina street shall hereafter be known and designated as Ramsey street.

That Beaver street shall be united with Second street, and the two streets so united shall be known and designated as Second street.

That Elk street shall be united with Third street, and the two

streets so united shall be known and designated as Third street or University avenue.

That Moose street shall be united with Fourth street, and the two streets so united shall be known and designated as Fourth street.

That the street bounding the Sibley addition on the west side, between Fifth street and Broadway, shall hereafter be known and designated as Washington street.

That Sanford street shall hereafter be known and designated as Adams street.

That Davis street shall hereafter be known and designated as Jefferson street.

That Leonard street shall hereafter be known and designated as Madison street.

That Lawrence street shall hereafter be known and designated as Monroe street.

That Lowell street shall hereafter be known and designated as Quincy street.

That Dover street shall hereafter be known and designated as Jackson street.

That Concord street shall hereafter be known and designated as Van Buren street.

That Morse street shall hereafter be known and designated as Harrison street.

That Clayton street shall hereafter be known and designated as Tyler street.

That Wilkins street shall hereafter be known and designated as Polk street.

That Cummings street shall hereafter be known and designated as Taylor street.

That Eastwood street shall hereafter be known and designated as Fillmore street.

That Brott street shall hereafter be known and designated as Pierce street.

That Welles street shall hereafter be known and designated as Buchanan street.

That Maryland street shall hereafter be known and designated as Lincoln street.

That the street which forms the eastern boundary of Ramsey, Lockwood and others' additions shall hereafter be known and designated as Johnson street.

That the street which forms the eastern boundary of Marshall's addition, and which has heretofore been known as Fillmore street, shall hereafter be known and designated as Sully street.

That North street shall be united with Broadway, and the two streets so united shall hereafter be known and designated as Broadway.

That High street shall hereafter be known and designated as Summer street.

That Minnesota street shall hereafter be known and designated as Spring street.

That Case street shall hereafter be known and designated as Winter street.

That the street around the bank of the upper part of Nicollet Island shall hereafter be known and designated as Island avenue.

That Maple street on Nicollet Island shall hereafter be known and designated as Maple Place.

That Nicollet street on Nicollet Island shall hereafter be known and designated as Nicollet Place.

That Grove street on Nicollet Island shall hereafter be known and designated as Grove Place.

That Holland street shall hereafter be known and designated as Grand street.

Names of streets and avenues in West Division.

SEC. 2. That the streets and Avenues in the West Division of the city of Minneapolis shall hereafter be known and designated as follows:

That Hennepin Avenue shall hereafter be known and designated throughout its entire length in said city as Hennepin Avenue.

That Nicollet street, Main street, and Blaisdell road shall hereafter be known and designated as Nicollet Avenue.

That Minnetonka street and Prospect street shall hereafter be known and designated as First Avenue South.

That Helen street and Pike street shall hereafter be known and designated as Helen or Second Avenue South.

That Hazel street shall hereafter be known and designated as Stevens Avenue.

That Oregon street and Morrison Avenue shall hereafter be known and designated as Third Avenue South.

That Buffalo street shall hereafter be known and designated as Avenue Three-and-a-Half South.

That California and Burnett streets shall hereafter be known and designated as Fourth Avenue South.

That Marshall and Cherry streets shall hereafter be known and designated as Fifth Avenue South.

That Cataract street and Portland Avenue shall hereafter be known and designated as Sixth or Cataract Avenue South.

That Russell street and Park Avenue shall hereafter be known and designated as Seventh Avenue South.

That Ames street and Chicago avenue shall hereafter be known and designated as Eighth Avenue South.

That Rice and Elliott avenues shall hereafter be known and designated as Ninth Avenue South.

That Smith and Webster avenues shall hereafter be known and designated as Tenth Avenue South.

That Pearl street and Lincoln Avenue shall hereafter be known and designated as Eleventh Avenue South.

That Huy street shall hereafter be known and designated as Twelfth Avenue South.

That Hanson street shall hereafter be known and designated as Thirteenth Avenue South.

That Lake street shall hereafter be known and designated as Fourteenth Avenue South.

That Vine street shall hereafter be known and designated as Fifteenth Avenue South.

That Clay street and Clay street extension shall hereafter be known and designated as Sixteenth Avenue South.

That Avon Street shall hereafter be known and designated as Seventeenth Avenue South.

That Cedar street and Layman's road shall hereafter be known and designated as Cedar Avenue.

That Aspen street shall hereafter be known and designated as Nineteenth Avenue South.

That Oak street shall hereafter be known and designated as Twentieth Avenue South.

That Walnut street shall hereafter be known and designated as Twenty-First Avenue South.

That Elm street shall hereafter be known and designated as Twenty-Second Avenue South.

That Maple street shall hereafter be known and designated as Twenty-Third Avenue South.

That Pine street shall hereafter be known and designated as Twenty-Fourth Avenue South.

That Spruce street shall hereafter be known and designated as Twenty-Fifth Avenue South.

That Willow street shall hereafter be known and designated as Twenty-Sixth Avenue South.

That Birch street shall hereafter be known and designated as Twenty-Seventh Avenue South.

That Orange street shall hereafter be known and designated as Twenty-Eighth Avenue South.

That the street on the east side of Murphy's addition shall hereafter be known and designated as Twenty-Ninth Avenue South.

That Mary street shall hereafter be known and designated as Mary Place.

That Vine street in Johnson's addition shall hereafter be known and designated as Vine Place.

That Spruce street in Johnson's addition shall hereafter be known and designed as Spruce place.

That Harmon street shall hereafter be known and designated as Harmon Place.

That Utah street and Eighth street in Bell & Wilson's addition shall hereafter be known and designated as First Avenue North.

That Seventh street in Bell & Watson's addition shall hereafter be known and designated as Western Avenue.

That Kansas street and Sixth street in Bell & Wilson's addition shall hereafter be known and designated as Second Avenue North.

That Itaska street and Morse street in Stinson's addition shall hereafter be known and designated as Third Avenue North.

That Dakota street and Mattison street in Stinson's addition shall hereafter be known and designated as Fourth Avenue North.

That Nebraska street and Cahill street in Stinson's addition shall hereafter be known and designated as Fifth Avenue North.

That Harrison street shall hereafter be known and designated as Sixth Avenue North.

That Cross, Lewis and Garland streets shall hereafter be known and designated as Seventh Avenue North.

That Seward street shall hereafter be known and designated as Eighth Avenue North.

That Marcy street shall hereafter be known and designated as Ninth Avenue North.

That Benton street shall hereafter be known and designated as Tenth Avenue North.

That Bradford street shall hereafter be known and designated as Eleventh Avenue North.

That Moore street shall hereafter be known and designated as Twelfth Avenue North.

That Fremont street shall hereafter be known and designated as Thirteenth or Plymouth Avenue North.

That Clayton street shall hereafter be known and designated as Fourteenth Avenue North.

That Brigham street shall hereafter be known and designated as Fifteenth Avenue North.

That Breckenridge street shall hereafter be known and designated as Sixteenth Avenue North.

That Cass street shall hereafter be known and designated as Seventeenth Avenue North.

That Douglass street shall hereafter be known and designated as Eighteenth Avenue North.

That Buchanan street shall hereafter be known and designated as Ninteenth Avenue North.

That Christmas street shall hereafter be known and designated as Twentieth or Christmas Avenue North.

That Howard street shall hereafter be known and designated as Twenty-First Avenue North.

That Clay street shall hereafter be known and designated as Twenty-Second Avenue North.

That Mary Ann street shall hereafter be known and designated as Twenty-Third Avenue North.

That King street shall hereafter be known and designated as Twenty-Fourth Avenue North.

That Menard street shall hereafter be known and designated as Twenty-Fifth Avenue North.

That Ferry street shall here after be known and designated as Twenty-Sixth Avenue North.

That Ninth street in Bell & Wilson's addition shall hereafter be known and designated as Chestnut Avenue North.

That Tenth street in Bell & Wilson's addition shall hereafter be known and designated as Linden avenue.

That Eleventh street, in Bell & Wilson's addition, and Jane street, in Harmon's addition, shall hereafter be known and designated as Hawthorne Avenue North.

That Twelfth street in Bell & Wilson's addition shall hereafter be known and designated as Laurel avenue.

That River, High, First and Second streets shall hereafter be designated as heretofore.

That Washington avenue and Third street in North Minneapolis shall hereafter be known and designated as Washington avenue.

That Adams street shall hereafter be known and designated as Two-and-a-Half street.

That Third street, Jefferson street, and Fourth street in North Minneapolis shall hereafter be known and designated as Third street.

That Madison street and Fourth street and Fifth street in Cobb's addition shall hereafter be known and designated as Fourth street.

That Monroe street, Fifth street, and Sixth street in Cobb's addition shall hereafter be known and designated as Fifth street.

That Jackson street and Sixth street shall hereafter be known and designated as Sixth street.

That Van Buren and Seventh streets shall hereafter be known and designated as Seventh street.

That Polk street and Eighth street shall hereafter be known and designated as Eighth street.

That Taylor street, Ninth street and Westminster street shall hereafter be known and designated as Ninth street.

That Tenth street, North street and Oak street shall hereafter be known and designated as Tenth street.

That Eleventh street, Wells street and Grove street shall hereafter be known and designated as Eleventh street.

That Twelfth street, Cook street and Buchanan street, in Bell & Wilson's addition, shall hereafter be known and designated as Twelfth street.

That Thirteenth street and Fremont street shall hereafter be known and designated as Thirteenth street.

That Cottage street shall hereafter be known and designated as Fifteenth street.

That Howard street shall hereafter be known and designated as Sixteenth street.

That Irving street shall hereafter be known and designated as Seventeenth street.

That the street running on the line between Sections Fifteen and Sixteen, Twenty-One and Twenty-Two, Twenty-Seven and Twenty-Eight, Thirty-Three and Thirty-Four, Town 129, Range 24, shall hereafter be known and designated as Lyndale avenue.

That Austin street shall hereafter be known and designated as Nineteenth street.

That White street shall be known and designated as Twentieth street.

That Gray street shall be known and designated as Twenty-First street.

That Byron street shall be known and designated as Twenty-Second street.

That Burns street shall be known and designated as Twenty-Third Street.

That Bruce street shall be known and designated as Twenty-Fourth street.

That Sherman and Olive streets shall be known and designated as Fourteenth street.

That Spring and Sheridan streets shall be known and designated as Fifteenth street.

That Salome and Bayard streets shall be known and designated as Sixteenth street.

That Oak Grove and Penniman streets shall be known and designated as Seventeenth street.

That Prairie street shall be known and designated as Eighteenth street.

That Jackson street shall be known and designated as Nineteenth street.

That Franklin street and Grape street shall be known and designated as Franklin avenue.

Streets, what designated as streets North, what as streets South.

SEC. 3. All the streets and avenues north and northwest of Hennepin Avenue shall be known and designated as streets and avenues north; that all streets and avenues south and southeast

of Hennepin Avenue shall be known and designated as streets and avenues south.

SEC. 4. This ordinance shall take effect from and after its publication.

Passed August 12th, 1873.

A. M. REID,
President of the Council.

Attest:
CHARLES W. JOHNSON,
City Clerk.

Approved August 14th, 1873.

A. M. REID,
Acting Mayor.

LIX.

AN ORDINANCE

CHANGING NAMES OF CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The street known as Third Street in Menard's addition, Cobb's addition and North Minneapolis addition, in said city shall hereafter be known and designated as Washington Avenue.

SEC. 2. That part of Twelfth street in Bradford's and Bassett's addition, shall hereafter be known as Sixth street. That part of Thirteenth street, in Bradford's and Bassett's addition, shall hereafter be known as Hoag avenue. That part of Fifteenth street, in Bradford's and Bassett's addition, shall hereafter be known as Royalston avenue. That part of Sixteenth street in Bradford's and Bassett's addition, and in Bradford's addition, extending from Sixth avenue north to the angle in said street, or its continuation, shall hereafter be known as Oak Lake avenue.

SEC. 3. All that part of Ninteenth, Twentieth, Twenty-first, Twenty-second, Twenty-third and Twenty-fourth streets, lying north of Sixth avenue north, shall hereafter be known as Eighth, Ninth, Tenth, Eleventh, Twelfth and Thirteenth streets, respectively.

SEC. 4. This ordinance shall take effect and be in force from and after its publication

Passed the Council, June 2d, 1880.

C. L. SNYDER,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 7th, 1880.

A. C. RAND,
Mayor.

LX.

AN ORDINANCE

CHANGING THE NAMES OF CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Changing name of streets to Royalston avenue, Bradford avenue and Holden street.

SECTION 1. The street extending from Sixth avenue north to Holden street, now designated as Valley avenue, Royalston avenue and Highland avenue, shall hereafter be known as Royalston avenue.

The street extending from Sixth avenue north to Eighth avenue north, and now designated as Royalston avenue, shall hereafter be known and designated as Bradford avenue.

The street extending from Holden street across the bridge over the tracks of the St. Paul, Minneapolis & Manitoba and Minneapolis & St. Louis railways to Twelfth street, near Western avenue, now known as Highland avenue, shall hereafter be known and designated as Holden street.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed January 11th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 16th, 1882.

A. C. RAND,
Mayor.

LXI.

AN ORDINANCE

PRESCRIBING THE MANNER OF NUMBERING HOUSES AND BUILDINGS ON ROYALSTON AVENUE AND HIGHLAND AVENUE IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. Houses and buildings on Royalston avenue in said city of Minneapolis shall be numbered continuously from Holden street towards Sixth Avenue North with even numbers on right hand side and odd numbers on left hand side, as follows: Numbers one to nineteen being on lots one to five of block six of Oak Lake addition as platted; numbers twenty-nine to ninety-five being on lots thirty-eight to twenty-two of block four of said addition. Said numbers of houses and buildings progressing in reverse order of the numbering of said platted lots from thirty-eight to twenty-one; numbers ninety-seven to one hundred and nineteen being on lots twenty-five to thirty of block two of said addition; numbers eighteen to seventy-two being on lots one to fourteen of block five of said addition; numbers seventy-four to one hundred and twenty being on lots nineteen to eight of block one of said addition; said last named numbers progressing in the reverse order of the numbering of said lots in said block one. All of said numbering to be so arranged as to give two numbers to each of the platted lots above mentioned.

SEC. 2. Houses and buildings on Highland avenue in said city, shall be numbered continuously from Royalston avenue towards Lyndale avenue, with even numbers on right hand side, and odd numbers on left hand side, as follows: Numbers one to twenty-seven being on lots six to twelve of block six, of said Oak Lake addition as platted; numbers twenty-nine to one hundred and thirty-nine being on lots twenty-eight to fifty-five, of block three, of said addition; numbers two to eighty-four being on lots one to twenty-one, of block four, of said addition; numbers eighty-six to one hundred and forty-six being on lots twenty-four to ten, of block two, of said additon, said numbers progressing in the reverse order of said lots twenty-four to ten, and all the numbering of said Highland avenue to be so arranged as to give two numbers to each of the platted lots above mentioned.

SEC. 3. No person shall display on any house or building fronting on either of said streets any numbering different from the numbers herein indicated, and in case of display of any such different numbering it shall be lawful for any policeman, or Street Commissioner, or the City Engineer of said city to remove or erase such numbering from such house or building, doing no more damage than necessary to effect such removal or erasure.

SEC. 4. This ordinance shall take effect and be in force from and after its publication.

Passed January 11th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 16th, 1882.

A. C. RAND,
Mayor.

LXII.

AN ORDINANCE

PROHIBITING WOODEN SIDEWALKS WITHIN THE FIRE LIMITS OF THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

No wooden sidewalks to be established.

SECTION 1. That hereafter no sidewalks shall be constructed or reconstructed within the fire limits of the city of Minneapolis, as the same are now established, either in whole or in part of wood. And in case of the future extention of the fire limits of the city of Minneapolis no sidewalks shall be constructed or reconstructed either in whole or in part, of wood, within the additional limits taken in by such extension, after the extended limits are established by the City Council of said city.

Provided, That this shall not prevent temporary repairs with wood of any sidewalk now built with wood, as may be directed by the City Engineer of said city.

SEC. 2. Within the limits above named, all sidewalks hereafter constructed, shall be constructed of such non-combustible material and in such manner as the City Council of the city of Minneapolis shall from time to time determine and direct. Must be constructed of non-combustible material.

SEC. 3. Whoever violates any provision of this ordinance, shall, on conviction therefor before the Municipal Court of the city of Minneapolis, be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days. Penalty.

SEC. 4. Any sidewalk, or portion of a sidewalk, hereafter constructed or reconstructed within the fire limits of the city of Minneapolis, as the same shall be defined and established, at the time of such construction, either in whole or in part of wood, contrary to the provisions of this ordinance, is hereby declared to be, and shall be considered as an unlawful use of the street, and a nuisance thereon. It is hereby made the duty of the Chief of Police of said city, on being informed that such sidewalk or portion of sidewalk is being built, or has, at any time after the passage of this ordinance, been built, to forthwith, either in person or in writing, request the owner of the land along which such sidewalk is, or, in his absence, the agent of such owner acting for him in the construction of such sidewalk, or the person who is constructing or did construct the same, to immediately stop the construction of the same, if the same is in process of construction, and in any case, to immediately abate and remove all of the same. Duty of Chief of police in relation to sidewalks.

The refusal or neglect to stop such work, upon receiving the request above mentioned, and the neglect for twenty-four hours after such request to remove all such sidewalk already built or partially built, and a like neglect for each succeeding twenty-four hours thereafter, are each separately made and hereby declared to be an offense and misdemeanor, and any person so offending shall, on conviction thereof, be punished as provided in section three hereof.

SEC. 5. In case any sidewalk or portion of a sidewalk, declared in and by section four hereof to be a nuisance and unlawful, shall not be removed, upon request as required in section four hereof, it is hereby made the duty of the Street Commissioner of the ward in which such sidewalk or portion of a sidewalk is located, to forthwith after the expiration of twenty-four hours after the making of the request for removal, provided in the preceding section, abate and remove the same at the expense of the owner of the abutting property; and in such case the expense of such removal may be recovered of the owner of the abutting property in a civil action brought against him in the name of the city therefor, or the amount of said expense may be levied and assessed against the abutting property in the same manner in which the expense of improvements is levied and assessed, the officer making the removal re- Duties of street commissioner in regard to same.

porting the amount of the expense, and the same collected in the same manner.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed February 15th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved February 20th, 1882.

A. C. RAND,
Mayor.

LXIII.

AN ORDINANCE

AUTHORIZING THE MINNEAPOLIS AND ST. LOUIS RAILROAD COMPANY TO MAINTAIN TRACKS ACROSS THIRD, FOURTH, FIFTH AND SIXTH STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The Minneapolis and St. Louis Railway Company is hereby authorized to lay down, keep and maintain its railway tracks across Third, Fourth, Fifth and Sixth streets in the city of Minneapolis, on any lines between the present track of said railway company and a line running one hundred and seventy-two (172) feet distant, northwesterly from and parallel with the center line of Third Avenue North in said city. The tracks to be laid so as to conform with established grades of said streets where crossed, and to be kept planked between rails and between the several tracks as the Council may from time to time direct.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed the Council April 4th, 1878.

SOLON ARMSTRONG,
President of the Council.

Attest:
FRANK J. MEAD,
City Clerk.

Approved April 4th, 1878.

JNO. DE LAITTRE,
Mayor.

LXIV.

AN ORDINANCE

REGULATING LICENSES IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. No person or persons shall sell, vend or deal in any spirituous, vinous, malt, fermented or intoxicating liquor or beverage, for any use or purpose whatsoever, in or at any building, or other place within the limits of the city of Minneapolis, without having first procured and obtained a license therefor in the manner herein provided.

Not to sell liquors without license.

SEC. 2. That no person or persons shall practice or exercise the vocation of hackman, auctioneer, peddler, or keep any billiard table or nine or ten pin alley for hire or to be used for any compensation; or to be used with or without compensation in any building where liquors are sold; or exercise any trade, business or occupation for which the price of a license is provided for or specified in this ordinance, without having first procured and obtained a license therefor, in the manner hereinafter provided

What vocations to be licensed.

SEC. 3. That the following yearly rates for licenses in said city are hereby fixed and established to be paid by every person or firm engaged in, or who shall engage in the respective callings, vocations, or kinds of business named in this section within the limits of said city, viz.:

Rates of city licenses.

Liquor dealers, which shall include all persons who sell spirituous, vinous, fermented or malt liquors or beverages, except those designated in the next clause, one hundred dollars ($100).

Druggists who use intoxicating liquors only for compounding prescriptions and manufacturing medicines or essences, in which compounds or manufactures such liquors are mingled with drugs or medicines, and sell only such compounds or manufactures, the same in no case to be used as beverages, five dollars ($5).

Auctioneers, fifty dollars ($50).

Hackmen, which shall include owners and drivers of hacks, omnibuses and other vehicles for the carriage of passengers, with or without baggage, for each vehicle drawn by two or more animals, fifteen dollars ($15).

And for each vehicle drawn by one animal, seven and one-half dollars ($7.50).

Draymen, which shall include owners and drivers of drays, wagons, carts and other vehicles for carrying baggage or freight only, for each vehicle drawn by two or more animals, ten dollars ($10).

And for each vehicle drawn by one animal, five dollars ($5).

Peddlers, (not to include persons selling only farm products) for each vehicle, ten dollars ($10).

Foot peddlers not actual residents of the city, five dollars ($5).

And foot peddlers actual residents of the city, one dollar ($1).

Fortune-tellers, astrologers and all persons giving exhibitions or practicing callings of this class for money or any compensation, two hundred dollars ($200).

Keepers of billiard-tables, for each table, ten dollars ($10).

Keepers of pool-tables, for each table, ten dollars ($10).

Keepers of pigeon-hole tables, for each table, five dollars ($5).

Keepers of nine or ten pin alleys, for each alley, fifteen dollars ($15).

Shooting galleries, Chinese ball games, throwing, and all other games or performances (except nine or ten pin alleys) wherein any ball, ring, shot, or missiles of any kind is shot, thrown, or in any other manner propelled against any mark, image, or obstacle whatever, and for which any fee or price is charged, twenty-five dollars ($25).

Theaters, one hundred dollars ($100).

Pawn-brokers, one hundred dollars ($100).

SEC. 4. All licenses hereinafter granted for any of the callings, vocations or kinds of business mentioned in the last preceding section, shall expire on the first Monday of May next following the granting thereof and shall not be granted for a less time, when such license shall have been less than one year to run from the time of the application therefor, and more than three months, then the amount to be paid therefor shall be a proportionate amount of the yearly rate established by the last preceding section for the time during which such license shall have to run, except that no fractional part of a month shall be computed, but the whole of any month in which the business is commenced or the application made shall be computed and paid for, although a part of such month may have previously lapsed. When such license shall have been less than three months to run, then the amount to be paid therefor shall be one-fourth of the yearly rate fixed in the preceding section.

Licenses expire when.

SEC. 5. Any person or firm wishing to obtain a license to exercise any of the callings, vocations, or kinds of business mentioned n section three (3) of this ordinance shall pay to the City Treas-

Licenses how obtained.

urer of said city the amount of money in and by this ordinance fixed for such license, and upon presenting to the City Comptroller the Treasurer's receipt therefor, shall be entitled to and shall receive from said Comptroller a written license signed by the Mayor and countersigned by the Comptroller, and attested by the seal of said city, authorizing such person or firm to carry on the business or calling named in such license at some certain place in said city to be particularly designated therein. The Mayor may afterwards by writing endorse upon such license a change of the place of business to some other place to be particularly designated in such written endorsement, such change shall not however be operative until such license so endorsed be presented to the city Comptroller and the change entered upon his books, and a fee of one dollar ($1) paid him for making such entry. And no person shall exercise or carry on such business at any other place than the place so designated.

Provided, That the license for peddlers, hackmen, and draymen need not specify any particular locality in the city for doing business; but that all peddlers shall have numbers on their vehicles or packs, and every license issued to peddlers, hackmen and draymen shall specify the number of the particular vehicle or pack covered by such license.

SEC. 6. That every hack, carriage, omnibus or other vehicle used for the carriage of passengers as licensed as above provided for, shall be conspicuously marked on the right and left sides thereof, with such numbers as the City Comptroller shall in the license designate, in figures not less than one and one-half inches in length, and such figures shall be of light color on dark ground or dark color on light ground, placed either on the driver's seat or on the sides of the vehicle. A card containing the name of the owner and the number of the vehicle and the rates of fare fixed by this ordinance printed thereon, shall be placed and at all times kept in a conspicuous place inside of all such vehicles, and no driver or owner of such vehicle shall drive, or permit to be driven or used any such vehicle until each and every of the foregoing provisions of this section are complied with. Every driver or other person having charge of any vehicle, while standing at any railroad depot, shall wear a badge upon his hat or cap with the number of his vehicle, as designated in such license, so placed upon such badge that the same may be distinctly seen and read.

Hacks, carriages and omnibuses to be marked how.

Driver to wear badge on his hat or cap.

The prices or rates of fare to be taken or paid to or demanded by the driver, owner or person in charge of any such vehicle shall not under any circumstances exceed the following rates: For the conveyance between the hours of five in the morning and ten in the evening, for any distance not exceeding one mile, for each passenger over twelve years of age, twenty-five cents; and for children

Rates of fare to be taken.

between the ages of five and twelve years, fifteen cents. For the conveyance of passengers any greater distance than one mile, within the limits of said city, between the same hours, double the above rates. For the conveyance of passengers after the hour of ten in the evening until the hour of five in the morning, double the above rates may be charged. No charge shall be made for infants under five years of age if accompanied by guardians.

Every owner, driver, or other person having charge of such vehicle shall convey, if required, with each passenger, without additional charge, the valise, carpet-bag, portmanteau, bundles or baskets, which may be used by such person in traveling; but for each single trunk by him carried to any place in said city he shall be entitled to demand and receive the sum of twenty-five cents, and for each additional trunk belonging to the same person the sum of fifteen cents; and no owner, driver, or other person having charge of such licensed vehicle shall neglect or refuse the application of any person for conveyance, in such vehicle, if such vehicle be not fully occupied or engaged at the time of such application, and if on demand therefor the legal fare be tendered, unless the person so applying shall be so drunk or disorderly as to endanger the comfort of other passengers, or apparently suffering from an infectious disease.

Shall carry valise or carpet bag of passenger without extra charge.

Every truck, wagon, dray, cart, or other vehicle, whether drawn by one or more animals, and licensed as aforesaid, for the carriage of baggage and freight only, shall have placed upon the outside and upon each side of the same, such numbers as the Comptroller of said city shall direct, and no owner or driver of such vehicle shall drive or permit such vehicle to be driven until such numbers shall be so placed thereon.

SEC. 7. That every saloon and the bar of every tavern, inn and other place where liquors are sold by the glass or drink shall be closed and kept closed during the whole of every Sunday, and of every day of a general state or city election, and during the time of any riot or disturbance; and no person shall sell any spirituous, vinuous, fermented or malt liquors or beverages within the limits of said city on any Sunday, or on any day of a general state or city election before the closing of the polls, nor at any time sell or give away any such liquors or beverages to any minor or habitual drunkard; nor permit any gambling or games of chance for money or anything of value, or the representative of anything of value, to be practiced or carried on at any time in any room or place in any building wherein any kind of liquor is retailed or sold by him, or which may be occupied, rented or under the control of any such licensed liquor dealer, or under his control; and no such licensed liquor dealer shall procure, suffer or allow any common prostitute, male or female, of evil name or fame, or of immodest, immoral,

Saloon or tavern to be closed on Sunday.

lewd or latcivious conduct or behavior, or of dishonest conversation, to visit, resort to, frequent, remain in, or to be employed in his or her saloon, bar-room, or in any place wherein any kind of liquor is retailed by him or her. No licansed liquor dealer shall sell or permit to be sold or drank upon his premises any liquor of any kind between the hour of twelve o'clock, midnight, and the hour of five o'clock in the morning.

Price of license for circuses, carevans and other shows.

SEC. 8. That no caravan, menagerie, circus or other show, exhibition or performance or business for which the price of a license is hereinafter stated, shall be held, exhibited or carried on within said city, unless a license therefor shall be previously obtained, as hereinafter provided. The rates of such license are hereby fixed as follows:

For ciscus, (alone) for first day, three hundred dollars ($300.00)

And for each succeeding day, two hundred dollars ($200.00).

For menagerie (alone) for first day, one hundred dollars ($100.00).

And for each succeeding day, fifty dollars ($50.00).

For circus and menagerie combined, for first day, four hundred dollars ($400.00).

And for each succeeding day, two hundred dollars ($200.00).

For small shows or exhibitions in separate tents or enclosures, when not under the same management as the combined circus and menagerie, for first day, fifty dollars ($50.00.)

And for each succeeding day, twenty-five dollars ($25.00).

For ventriloquists. magicians and similar exhibitions not otherwise enumerated, for first performance fifty dollars ($50.00).

And for each subsequent performance, ten dollars ($10 .

For all shows and exhibitions offering prizes of any kind to ticket holders, for first performance, fifty dollars ($50.)

And for each subsequent performance, thirty dollars ($30.)

For hawkers or criers, selling goods, wares, notions or other articles on the streets, or any public or open ground in said city, for first day, twenty-five dollars ($25.)

And for each succeeding day, ten dollars ($10.)

For minstrel and other concerts, and for theatrical and operatic performances, when the same is not licensed by the year as a theatre.

For each concert or performance, five dollars ($5), but no concert nor theatrical or operatic performance shall be permitted in any room where any spirituous, vinous, malt or other intoxicating liquors or beverages are sold.

Provided, that this shall not be so construed as to require any license for the exhibitions or performances of any society or association in said city giving concerts or dramatic or literary exhibitions, and in which concerts or performances the singers, actors or performers do not receive compensation or pay therefor; nor shall

the concerts, exhibitions or performances of such societies or associations be deemed "concerts, theatrical, or operatic performances," within the meaning of any part of this ordinance.

Licenses for any of the foregoing callings, occupations or performances mentioned in this section shall be obtained in the same manner as is provided for in section five (5) of this ordinance; and no person or persons shall advertise or attempt to give any such exhibition or performance, or do any business mentioned in this section hereinbefore, without having first obtained a license therefor in such manner.

Comptroller shall keep record of all licenses.

SEC. 9. The City Comptroller shall keep a record of all licenses issued by him, stating where and to whom issued and for what purpose, and for what length of time, and for what sum of money, and the place where the business is to be carried on.

Party holding may transfer license how.

SEC. 10. Any person who has received a license under the provisions of section three (3) of this ordinance, and who shall quit or dispose of the business for which he was licensed, before the expiration of the business, may with the consent of the Mayor endorsed on such license, and upon paying the City Comptroller the sum of one dollar, to make entry of the transfer on his books, sell and transfer such license to any person who shall succeed him in the same business at the same place.

Shall be void when.

Provided, That any transfer of a liquor dealer's license to any person who has held a license which has been forfeited as is provided for in section fifteen (15) of this ordinance, shall be wholly void. If a license be required by any other ordinance or law for the carrying on any kind of business, employment or occupation not enumerated in this ordinance, the same may be procured in the manner prescribed in section five (5) of this ordinance, and in case the amount to be paid therefor be not definitely fixed, the Committee on Licenses of the City Council of said city may fix such amount.

Duties of auctioneer.

SEC. 11. No auctioneer shall sell or expose for sale any kind of property outside of the building or lot occupied by him for the purpose of his business, nor at the door of such building or so near the same as to attract and keep a crowd upon any street or sidewalk of said city.

Notice may be given to saloon keeper not to sell habitual drunkard.

SEC. 12. Any father, mother, wife or child of any habitual drunkard, or any officer of said city, may make a request in writing of the Chief of Police that he notify all licensed liquor dealers of said city not to sell, furnish or give such habitual drunkard any liquors, and it shall thereupon be the duty of the said Chief of Police forthwith to give written notice to all licensed liquor dealers of said city, forbidding them from selling or furnishing such habitual drunkard any liquors whatsoever, which notice may be served by copy by the said Chief of Police, or any police officer of said

city, and after being served with such notice no dealer in said city shall in any way sell or furnish to such habitual drundard, mentioned in such notice, any spirituous, vinuous, fermented or malt liquors or beverages, for any purpose or on any pretense.

SEC. 13. No license shall be granted permitting the sale of liquors within the distance of three hundred and thirty feet of any public school building, nor in any room used or occupied for concert theatrical or operatic performances, nor in the galleries from which such performances are visible, nor in any room adjacent to such room or galleries, nor shall any spirituous, vinuous, malt or other intoxicating liquors or beverages be sold at any of the places in this section named.

Liquors not to be sold within 330 feet of public shool building.

SEC. 14. Every license granted under the provisions of this ordinance shall be issued upon the distinct understanding that such license may be revoked by the Mayor or by the City Council of said city at any time, and by the Court upon conviction of the holder thereof of violation of this ordinance under the provisions of section fifteen (15) hereof, or whenever such revocation may be authorized or required by the laws of the state. And in case of a revocation thereof by the Mayor or City Council, then the City shall refund to the ho'der thereof a sum of money proportionate to the amount of the sum paid for such license for the unexpired term thereof; but in case of a revocation thereof by order of the Court, then the whole amount paid therefor shall be forfeited.

License how issued and how revoked.

SEC. 15. If any person shall violate any of the provisions of this ordinance he shall on conviction thereof before the Municipal Court of said City be punished by a fine of not less than two dollars nor more than one hundred dollars and the costs of prosecution, and be imprisoned until such fine and costs are paid, not exceeding thirty days. And the Court upon such conviction, if the person so convicted shall hold a license under the provisions of this ordinance. may upon first conviction and upon second conviction shall in addition to the punishment above provided revoke such license as authorized and required to do in section sixteen (16), chapter four (4) of the City Charter.

Penalty for violation of ordinance.

After the revocation of any liquor license as above provided for, the person whose license is so revoked shall not be entitled to take out or receive any other license as liquor dealer until the City Council shall make an order permitting him to do so.

SEC. 16. The certain ordinance concerning licenses approved May 5th, 1877, as subsequently amended, and all ordinances and parts of ordinances conflicting with the provisions of this ordinance are hereby repealed.

Repeal of all former ordinances.

SEC. 17. This ordinance shall take effect and be in force from and after its publication.

Passed May 3d, 1882.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved May 8th, 1882.

A. A. AMES,
Mayor.

LXV.

AN ORDINANCE

FIXING AND DETERMINING A CERTAIN AND UNIFORM WIDTH FOR SIDEWAKLS ON THE BUSINESS STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the width of all sidewalks upon the following named portions of the following named streets in the city of Minneapolis be and the same is hereby fixed and established at eighteen feet, including the thickness of the curbing, to-wit:

Width of sidewalks determined.

Upon Washington avenue between Plymouth avenue (or Thirteenth avenue north) and Cedar avenue.

Upon Hennepin avenue, between the suspension bridge and Tenth street.

And that the width of all sidewalks upon the following named portions of the following named streets in the city of Minneapolis be and the same is hereby fixed and established at fifteen feet, including the thickness of the curbing, to-wit:

Upon Nicollet avenue between First street and Tenth street.

Upon First avenue south between First street and Tenth street.

Upon Second avenue south between First street and Tenth street.

Upon Second street between Fourth avenue north and Third avenue south.

Upon Third street between Fourth avenue north and Sixth avenue south.

Upon Fourth street between First avenue north and Fourth avenue south.

Upon Fifth street between First avenue north and Fourth avenue south.

Upon Sixth street between Hennepin avenue and First avenue south.

Upon Cedar avenue between Washington avenue south and Franklin avenue.

And also that the width of all sidewalks upon the following named portions of the following named streets in the city of Minneapolis, be and same is hereby fixed and established at twelve feet, including the curbing, to-wit:

Upon Plymouth avenue (or Thirteenth avenue north) between the bridge crossing the Mississippi river and Fourth street.

Upon Central avenue between the suspension bridge and the stone arch bridge, and between the stone arch bridge and Fifth street.

SEC. 2. No person shall hereafter construct or reconstruct any sidewalk within any of the limits named in section one of this ordinance, of any other width than that fixed and established in and by section one.

SEC. 3. Any person who shall hereafter construct or reconstruct any sidewalk in front of any store or shop or in front of any other building used for business purposes, in the city of Minneapolis, and not within the limits named in section one, may and if ordered to do so by the City Engineer of the city of Minneapolis, shall construct the same of the following width, to-wit: If it be upon a street one hundred feet wide, eighteen feet. If it be upon a street eighty feet wide, fifteen feet. If it be upon a street sixty-six feet wide, twelve feet. If it be upon a street sixty feet wide, ten feet.

SEC. 4. Whoever shall violate any provision of this ordinance, shall, on conviction therefor, be punished by fine not exceeding fifty dollars and costs of prosecution, and may be imprisoned until such fine and costs are paid, not exceeding thirty days. Penalty.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed February 15th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk,

Approved February 20th, 1882.

A. C. RAND,
Mayor.

LXVI.

AN ORDINANCE

PRESCRIBING AND FIXING THE MANNER OF NUMBERING DWELLINGS AND OTHER BUILDINGS ON SIXTH AVENUE NORTH BETWEEN FIFTH STREET AND LYNDALE AVENUE.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. The street numbers on Sixth Avenue North, in the city of Minneapolis, between Fifth Street North and Lyndale Avenue are hereby fixed and established as follows, to-wit: On the northerly side of Sixth Avenue North they shall commence at Fifth Street North, with the number 500, and run westerly with consecutive even numbers, two numbers to each lot, except the small lot 1, block 1, in Bradford & Bassett's addition, which shall have only one number (508), to and including the number 642, at the corner of Lyndale Avenue, except at Oak Lake Avenue the numbers between 592, which is the southwest corner of lot 6, block 4, and 600, which is the southeast corner of lot 1, block 5, are omitted. On the southerly side of said avenue they shall commence at the northeast corner of block 1, Oak Lake Addition, with the number 551, and run westerly with consecutive odd numbers, two numbers to each lot, which fronts on Sixth Avenue North, to and including the number 641, at the corner of Lyndale Avenue, except at Royalston Avenue, the numbers between 577, which is the northwersterly corner of lot 7, block 1, Oak Lake Addition, and 589, which is the northeasterly corner of lot 31, block 2, are omitted.

SEC. 1. The City Engineer shall preserve in his office a plat showing the numbers as herein filed.

SEC 3. This ordinance shall take effect and be in force from and after its publication.

Passed the Council March 8th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved March 9th, 1882.

A. C. RAND,
Mayor.

LXVII.

AN ORDINANCE

GRANTING THE MINNESOTA ELECTRIC LIGHT AND ELECTRIC MOTIVE POWER COMPANY PERMISSION TO ERECT AND MAINTAIN POLES, WIRES, MASTS, AND OTHER FIXTURES IN THE STREETS, ALLEYS, AVENUES AND PUBLIC GROUNDS OF THE CITY OF MINNEAPOLIS FOR THE PURPOSE OF FURNISHING HEAT, LIGHT AND POWER BY MEANS OF ELECTRICITY.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. Permission is hereby granted to the Minnesota Electric Light and Electric Motive Power Company, of Minneapolis, to erect and maintain the necessary number of poles, masts, conducting wires, lamps, and such other fixtures as are essential to the business of furnishing the city of Minneapolis and the general public with light, heat and power by electric currents for such purposes, to be carried on conducting wires to be placed upon said poles, in the streets, avenues, alleys and public grounds of said city.

Grant of the right.

Provided, That this franchise shall be subject to the provisions of any and all ordinances now in force or which may hereafter be enacted by the City Council regulating and controlling the use of the streets and other public grounds of the city by telegraph, telephone or other companies or individuals using or operating lines of wire for correspondence or conversation.

Provisions of the right.

And provided further, That the said City Council shall at all times have full and complete authority to order the use of said wires discontinued, and the same removed or located or placed in a different place or position, whenever in the judgment of said City Council, the safety of the public or of any person or property in said city may require the same, and nothing herein shall be taken or construed so as to prevent the City Council from passing any ordinance said Council may deem necessary for the full protection of life or property in said city.

SEC. 2. In the use and enjoyment of the privileges hereby granted to said company, the poles required shall be erected at such place or places as the City Engineer may direct, and it shall be the duty of said company to use in the construction of its conducting

Poles to be erected under direction of city engineer.

wires, globes or other apparatus, such material and appliances, and erect, place and adjust the same so as fully to comply with the requirements of the standard adopted by the New York Board of Fire Underwriters, January 12th, 1882.

SEC. 2. This ordinance shall take effect and be in force from and after its publication.

Passed May 10th, 1882.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved May 15th, 1882.

A. A. AMES,
Mayor.

LXVIII.

AN ORDINANCE

PROVIDING FOR THE APPOINTMENT OF A CITY FORESTER AND DEFINING HIS DUTIES.

The City Council of the City of Minneapolis do ordain as follows:

City forester to be appointed

SECTION 1. The City Council shall as soon as may be, and on or before the first Monday in May annually thereafter, appoint a City Forester, who shall have the direction and regulation, subject to the control of the City Council, of the planting and preservation of ornamental trees in the streets, alleys and public grounds of the city.

Duties of City forester.

SEC. 2. It shall be the duty of such City Forester to report and recommend to the City Council from time to time such regulations and directions for the planting and preservation of ornamental trees in the streets, alleys and public grounds of the city as he shall deem expedient; and also as soon as may be to take account of and report to the City Council the number, condition and location of all the shade or ornamental trees on each of the streets, parks, and other public grounds of the city; and he shall at the time of the making of the annual reports of the other city officers of said

city make reports of all additions to the number of such shade or ornamental trees made subsequent to any former report, and all his doings as such officer.

SEC. 3. Whenever the City Council shall adopt any regulations or directions for the planting of shade or ornamental trees in the streets or public grounds of said city or for the care, preservation, training or pruning of the same it shall be the duty of such City Forester to see that all such regulations and directions are enforced and to take charge of all the work of pruning and taking care of scuh trees, and for that purpose he shall have power and authority to stop all such work upon such trees as shall not be in accordance with snch regulations or directions.

Shall see that regulations of the City Council are enforced

SEC. 4. It shall also be the duty of scuh City Forester to inspect all such shade or ornamental trees as shall be offered for sale within said city, and it shall not be lawful for any person to sell or offer for sale any shade or ornamental trees within said city except such as shall have been approved by such City Forester upon such inspection.

Duties of as to inspecting trees.

SEC. 5. It shall be the duty of such City Forester to devote his whole time to the duties of his office during the months of April, May, June, July, August, September, October and November of each and every year.

SEC. 6. The salary of such City Forester shall be seventy-five dollars ($75.00) per month during the months mentioned in the preceding section.

Salary of City forester.

SEC. 7. This ordinance shall take effect and be in force from and after its publication.

Passed May 31st, 1882.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved June 7th, 1882.

A. A. AMES,
Mayor.

LXIX.

AN ORDINANCE

DIRECTING THE LOCATION AND MANAGEMENT OF STOCK YARDS AND SLAUGHTER HOUSES.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no person shall locate, erect, keep, maintain or continue, any slaughter house or stock yard or place where animals are collected or kept for slaughter or shipment, or bought or sold for the purpose of slaughter or shipment, within any portion of the city of Minneapolis embraced within sections thirteen, fourteen, fifteen, the east half of sections sixteen and twenty-one, sections twenty-two, twenty-three, twenty-four, twenty-five, twenty-six, twenty-seven, or the east half of section twenty-eight, all in township twenty-nine, range twenty-four west, of the fourth principal meridian of the United States surveys of the public lands.

Stock yard not to be located where.

SEC. 2. No person shall in said city, within the limits described in section one, keep for slaughter or shipment or for sale for the purpose of slaughter or shipment, any cattle, sheep, swine, or other animal whatever.

SEC. 3. No person shall in said city within the limits described in section one slaughter or kill any animal whatever.

Provided, That this ordinance shall not be construed as preventing the keeping of suitable stables therefor, and the keeping therein, subject to such sanitary regulations and requirements as may be from time to time prescribed by any Board of Health, Health Officer or Health Inspector or City Physician of the city of Minneapolis, of horses, mules, or asses, for sale.

SEC. 4. Whoever violates any provision of this ordinance, shall, upon conviction therefor, be punished by a fine not exceeding fifty dollars and costs of prosecution, and may be committed until such fine and costs are paid, not exceeding sixty days.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed June 7th, 1882.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk,

Approved June 13th, 1882.

A. A. AMES,
Mayor.

LXX.

AN ORDINANCE

GRANTING PERMISSION TO THE NORTHWESTERN TELEPHONE EXCHANGE COMPANY TO USE STREETS AND ALLEYS OF THE CITY.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That the Northwestern Telephone Exchange Company is hereby authorized to erect, establish and maintain within the limits of the city of Minneapolis, telephone poles, and to stretch and maintain thereon the necessary wires for a telephone exchange system, according to the conditions hereinafter stated.

SEC. 2. That the said company shall file in the office of the City Engineer a statement of the street or alleys of the said city, which it has already occupied under permission of the Committee on streets, grades and additions, and the City Engineer, in pursuance of authority of the City Council, given December 18th, 1878.

SEC. 3. The said company shall file with the City Engineer written application for all streets or alleys it may hereafter wish to occupy with its poles and wires, as and when it may desire to occupy the same, and if such application shall be approved by the City Engineer and Chief Engineer of the Fire Department, such approval shall be deemed a permission of the city to so occupy said streets and alleys for the purpose above stated.

SEC. 4. All poles now set, or hereafter to be set, shall be in such position and of such character as the City Engineer may approve or determine.

SEC. 5. In case of a change of grade of any street or pavement so occupied by said company, it shall reset its poles so as to conform to the grade of such street or pavement so changed, and in such manner as the City Engineer shall direct, and said poles and wires shall be removed whenever in the opinion of the City Council the public interest shall so require.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed January 3d, 1883.

MATTHEW WALSH,
President of the Council.

Atttest:
SELAH MATHEWS,
City Clerk.

We hereby certify that at an adjourned session of the City Council of the city of Minneapolis, Minn., held January 24th, A. D. 1883, the foregoing ordinance was passed, notwithstanding the objections of the mayor, by a vote of two-thirds of the members thereof, as appears of record, pursuant to the provisions of section one (1) of chapter three (3) of the charter of said city.

MATTHEW WALSH,
President of the Council.

SELAH MATHEWS,
City Clerk.

LXXI.

AN ORDINANCE

GRANTING TO THE MINNEAPOLIS UNION RAILWAY COMPANY THE RIGHT TO CONSTRUCT AND OPERATE LINES OF RAILWAY UPON AND ACROSS CERTAIN STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the city of Minneapolis do ordain as follows:

SECTION 1. That from and after the filing by the Minneapolis Union Railway Company of the written acceptance mentioned in section 15 hereof, and the filing by the St. Paul, Minneapolis & Manitoba Railway Company of the written consent mentioned in said section, and not before, the ordinance entitled "An ordinance granting the St. Paul, Minneapolis & Manitoba Railway Company the right to construct and operate lines of railway across certain streets of the city of Minneapolis," approved February 7th, 1881, be repealed.

Conditions of repeal of former ordinances.

SEC. 2. There is hereby granted to the Minneapolis Union Railway Company, its successors and assigns, permission and authority to lay, maintain and operate five railway tracks of its railroad across and over the following named streets and in the manner herein named; that is to say:

To cross Fifth Street Southeast and Sixteenth Avenue Southeast, at their junction; to cross Fourth Street Southeast and Fifteenth Avenue Southeast at and northwesterly of their junction; to cross

Third Street Southeast or University Avenue between Thirteenth and Fourteenth Avenues Southeast; to cross Fourteenth Avenue Southeast between Third and Fourth Streets, at and near the crossing of said Fourteenth Avenue Southeast and Tuttle's Creek, all of said crossings to be made so as to keep the grade of said railway tracks substantially the same as the track now laid at said crossing. Right granted to lay and operate tracks where.

Also to extend said five railway tracks along and over Bluff Street from the crossing of Tuttle's Creek and Bluff Street to Ninth Avenue Southeast.

Also to extend two of said five tracks from and across Ninth Avenue Southeast, crossing the junction of Eighth Avenue Southeast and Main Street, to Seventh Avenue Southeast to a point on Main Street Southeast, which is five hundred (500) feet southeasterly from the southeasterly line of Central Avenue, and no further.

Provided, That no one of said tracks shall be put less than forty feet from block fifty-three (53).

The said tracks upon and along Bluff Street to be laid at such grade above the established grade of said Bluff Street as may be necessary or convenient; and the tracks on Main Street to be laid as nearly as may be practicable upon the present grade of said street, and in such a manner as to permit travel upon and across said tracks; and also to construct such side or spur tracks across said Main Street as may be necessary to connect such lines of railway with mills and places of business on or near said lines of railway; all tracks hereby permitted, except on Bluff Street, to be so placed as not to obstruct travel across them or along the street, and so as not to unnecessarily interfere with such travel.

Also, to extend two or more of said five tracks from and across Ninth Avenue Southeast, across the corner formed by the southwesterly corner of Eighth Avenue Southeast and Main Street, and across Sixth Avenue Southeast at or near the northerly end of the bridge across the Mississippi river, and thence to and across the Mississippi river; the crossing of said Sixth Avenue Southeast to be made at the present grade of said bridge.

The right to operate the tracks in this section named shall include the right to pass and repass thereon with cars and locomotive engines in the usual manner of railway operations, but shall not include the right to obstruct travel on said streets by standing cars and engines, except so far as may be necessary for loading and unloading cars. Grant shall include right to pass and repass on tracks with cars.

SEC. 3. There is also granted, so far as the city of Minneapolis has jurisdiction or authority to grant the same, permission to said railway company and its successors and assigns, to extend the said last named tracks across the Mississippi river, both channels thereof, from the crossing of said bridge to a point near the westerly bank of said river, where Sixth Avenue South would, if extended, Right granted to extend tracks across the Mississippi river.

cross the line thereof, and thence up and within said river, to some point in the westerly bank thereof, between Second and Third Avenues South, if they were extended to said river; and for that purpose to erect and maintain such bridges across said channels, and in and over said river as may be necessary for that purpose.

SEC. 4. There is also granted to the said Minneapolis Union Railway Company and its successors and assigns, permission and authority to remove, by and with the consent of the Minneapolis & St. Louis Railway Company and the Minneapolis Eastern Railway Company, the tracks of said last named railway companies from their present location near and upon and along River Street in said city, to such location westerly of said present location as may be necessary to make room for the tracks hereinafter provided for, and to extend said tracks of said railway companies across Second Avenue South, at or easterly of the junction of said avenue with High Street, and thence northerly across Hennepin Avenue westerly to the anchor piers of the Suspension Bridge in said city, and thence northerly, crossing First, Second and Third Avenues North, to a junction with the St. Paul, Minneapolis & Manitoba Railway Company's tracks at or near their present crossing of said First street, and when so removed said track may be maintained and operated by said Minneapolis Eastern and Minneapolis & St. Louis Railway Companies in the same manner and subject to the same conditions as they are now maintained and operated.

Right granted to remove other tracks with conditions.

SEC. 5. There is further granted to said Minneapolis Union Railway Company and its successors and assigns, permission and authority to extend the said tracks which are to cross said river, and such other tracks as it may deem necessary and convenient, upon and along all that part of River street as laid out in Steele's addition to Minneapolis, and over and upon the ground now occupied by said tracks of said Minneapolis & St. Louis and Minneapolis Eastern railway companies, and to occupy the whole of said portion of River street with such railway tracks and depot or other buildings for the use of said railway as may be necessary or convenient; and also to extend four or more railway tracks across Hennepin avenue easterly of the anchor piers of said suspension bridge, and also, if desired, one or more tracks westerly of said anchor piers, and thence along and upon all of River street, northerly of Hennepin avenue, as far as First avenue north, and thence northerly on the southwesterly half of said River street only, between First avenue north and the tracks of the St. Paul, Minneapolis & Manitoba Railway Company, and upon lands westerly of said River street, and for that purpose to cross with such tracks and such other tracks as may be necessary, First, Second and Third avenues north, and thence to extend said tracks to a connection

Right granted to extend tracks along what streets.

with the tracks of the St. Paul, Minneapolis & Manitoba Railway Company at or near the crossing of First street by said last named tracks, and to maintain, use and operate all such railway tracks with the necessary sidings, crossings and turnouts in such manner as may be necessary or convenient for the operation of said railway and the accommodation of a passenger depot, with all platforms, baggage rooms, car houses and the appurtenances thereof.

SEC. 6. There is also granted to said Minneapolis Union Railway Company, its successors and assigns, the right to fill out, construct and maintain under the suspension bridge of said city upon the westerly margin and in the bed of said Mississippi river, ground for a roadway for teams and carriages and depot grounds and necessary approaches thereto, not extending further than 100 feet easterly from the main piers of said bridge, and for that purpose to change the location of the guy piers of said bridge now in the westerly bank of said river by constructing other piers in place of said present piers. Such new guy piers to be located and constructed and connected with said suspension bridge to the acceptance of the city engineer and the standing committee on roads and bridges of the city council of said city.

Right granted to fill out and construct tracks under suspension bridge.

Said railroad company shall also have the right to temporarily remove and lay the tracks of the Minneapolis Eastern railway and the Minneapolis & St. Louis railway upon the grounds so filled out under said suspension bridge, and to occupy said ground for said railway tracks during the construction of the bridge over said Hennepin avenue, hereafter referred to.

Provided, and upon condition, however, that said railway company shall, by covering said bridge with iron, first sufficiently protect the same, and shall be responsible for, and save and protect the city from all damages, costs, and trouble caused by such occupancy of said ground, and shall, if the same be not sooner removed, remove and cause to be removed, all of said railway tracks from said ground so filled out whenever, after two years from the date of the approval of this ordinance, the city council of said city shall require the same removed.

Proviso and conditions.

SEC. 7. The crossing of Hennepin avenue by the railway tracks authorized in sections 4 and 5 hereof, shall be made at such grade as to permit the construction of a paved or planked roadway on said Hennepin avenue over said tracks, upon the grade of a plane level with the window sills of the anchor piers at the westerly end of suspension bridge, provided that it be not more than one foot higher than the level of the floor of said bridge at its westerly end; and the said railway tracks shall proceed from said Hennepin avenue crossing to their intersection with the tracks of said St. Paul, Minneapolis & Manitoba Railway Company by a regular uniform grade from said Hennepin Avenue to said intersection.

Crossing of Hennepin avenue to what grade.

Provided, That said Minneapolis Union Railway Company shall construct and forever maintain in all that part of River Street where it cuts below the grade of said street a suitable and sufficient retaining-wall to support the remaining portion of said street, and a suitable and sufficient railing and protection along said embankment.

SEC. 8. The City of Minneapolis in no wise warrants any of the privileges herein granted or attempted to be granted, but all said grants are made subject to all the rights which any other company now has to occupy the same grounds, and also subject to all the rights which said company or other companies or private persons now have, in and to all the subject-matters of said grants, and said city is not to be subject to any claims for damage on account of any matters herein contained.

The city does not warrant any of the privileges granted.

SEC. 9. The said Railway Company, its successors or assigns, shall always keep and maintain that portion of every street and alley used by it upon or across which said tracks shall be constructed at or near the grade of said streets, in good condition for public travel, and shall keep the same planked, paved, macadamized, or otherwise, in such condition for public travel as the city council of said city may from time to time direct, keeping the plank, pavement, or other surface of the street or alley at a level with the top of the rails of its said tracks. The portions of the streets or alleys to be so kept and maintained by said Railway Company shall include all the space between its different tracks, and also a space outside of the outside rail of each outside track at least fifteen (15) inches in width, and the tracks here referred to shall include not only the main tracks, but also all side tracks, crossings and turnouts hereby authorized.

Streets and alleys used to be maintained how.

And the said railway company, its successors and assigns, shall also, in operating said railroad upon or across any streets, conform to all lawful and reasonable regulations which shall be made by said city council respecting the running of cars and engines, applicable to all other railways in said city, and respecting precautions touching the city's safety; provided, however, that when the several bridges hereinafter provided, for the crossing of said tracks and the streets of said city, shall have been constructed and in use so that the said tracks to cross the Mississippi river, shall not, between said Hennepin avenue and the southern or easterly limits of said city, pass upon or cross at the grade of public travel any street of said city, other than Sixth avenue southeast; and so long and for such period only as said railway company or its successors or assigns shall maintain and successfully operate the gates hereinafter provided for, the said tracks so to cross said river and all other tracks herein provided for, easterly of Sixth Avenue Southeast, and all trains, cars and engines passing over the same from said Hen-

The company shall conform to all lawful and reasonable regulations made by the City Council in running cars and engines.

nepin Avenue to said city limits shall be excepted and exempted from the force of the ordinances of said city limiting the rate of speed upon railway tracks.

Conditions of the grants conferred.

SEC. 10. The grants herein contained are each and all made upon the express condition that the said railway company, its successors and assigns, shall:

(1.) Construct over and across said tracks on Fifth Street Southeast, a bridge with a roadway 18 feet wide in the clear, with the sidewalks on each side six feet wide in the clear, said bridge to be of iron, with stone abutments and wood roadway, to be constructed on plans and specifications similar and equal to the bridges now in process of construction by the St. Paul, Minneapolis & Manitoba Railway Company at the crossings of its tracks by Holden Street and Western Avenue in said city, to be completed within one year from such time as the city council of said city shall by resolution determine that its construction is necessary and give to said railway company notice of such resolution in writing, served upon any officer of said company upon whom summons in a civil action might be served.

(2.) Construct upon Sixth Avenue Southeast over and across all the tracks herein provided for and over and across Main Street Southeast to a connnection with the bridge required of the Minneapolis Eastern Railway company, and also across all the space between said tracks, an iron bridge or viaduct of similar construction to the one last provided for, but with a roadway thirty (30) feet wide in the clear, and sidewalks on each side eight (8) feet wide in the clear. The said railway company may, however, at its option, fill the space between said tracks, raising by an earth embankment the roadway, with sidewalks on each side, each of the width above named, so that it shall be a straight grade direct from the level of a bridge over the tracks at one place to the level of a bridge over the tracks at the other place.

Provided, That such bridge or bridges shall be of such height as to give twenty (20) feet head room in the clear over said railway tracks. Said bridge or bridges to be constructed with suitable and sufficient stone abutments, and to be fully completed within one year after like action and notice by the city council to that specified above for the crossings of Fifth Street Southeast.

(3.) Until the construction of such bridge or viaduct, and as soon as such tracts shall be laid for railway purposes and used for running regular railway trains, and said railway company and its successors and assigns shall erect and maintain at the said crossing of said Sixth Avenue Southeast, near the end of said bridge across said river, the railway safety gate of Pawtucket, Rhode Island, and keep at such gate a suitable gate keeper or watchman, and keep

the said gates closed during the passage of trains, cars or engines on said track, and open at all other times.

(4) Construct at the said crossing of said tracks and Hennepin Avenue, stone abutments for bridges on said Avenue over said crossings, and all the ironwork of such bridges completed, including eyebeams, and suitable iron or brick arches, with the necessary filling thereon, and in readiness to lay thereon granite or other stone pavement; such bridges to extend the entire width of said Hennepin Avenue now and used for street purposes, and to be made wider by said railway company if suspension bridge be ever widened or any wider bridge built in its place, not exceeding, however, the entire width of said wider bridge, whenever the city council of said city shall require it done, and to be of sufficient strength to support any stone block pavement with the necessary foundation therfor, and also to sustain any travel that may come over said street, and at any rate of speed that may be permitted thereon, and to be completed as speedily as may be after commencement of work thereon; the said city to construct the pavement, and the railway company suitable foundations therefor. The construction of said bridges and all work to be carried on that there will be, at all times, at least one-half of said Hennepin Avenue open and free for public travel.

Provided, That if it shall be found that twenty feet head room in the clear under said Hennepin Avenue bridge, for the passage of cars and locomotives, cannot be obtained in the event of using granite or other stone pavement over the same, the said railway company shall have the privilege of putting in such iron work and eyebeams as will sustain suitable brick arches over said Hennepin Avenue crossing for the support of a wooden block pavement or oak plank flooring of not less than five inches thickness; said supports or arches to be of sufficient strength to sustain any travel that may come over said street, and at any rate of speed that may be permitted thereupon, and to be completed as speedily as may be after commencement of work thereon, the said city to construct the pavement and the railway company suitable foundations therefor. The construction of said bridges, and all work, to be so carried on that there will be, at all times, at least one-half of said Hennepin Avenue open and free for public travel.

(5.) Construct upon the extreme southeasterly side of First Avenue North, over all the tracks by this ordinance permitted to cross said avenue or to run on River Street at its intersection with said avenue, whether said tracks be owned by said railway company or by others, an iron bridge of suitable construction and sufficient strength, with a roadway eighteen (18) feet wide in the clear, with six feet sidewalk one side, with stone abutments and with an approach, to be also built by said railway company, approaching

said bridge on the upper side at a right angle and at a grade not exceeding a raise of one foot in twelve; said approach to be constructed in River Street and located on the extreme southwesterly side of the northeasterly half of said street; such bridge to be completed as soon as may be.

(6.) In any and every other case, except University Avenue, Fourteenth Avenue Southeast and Fourth Street Southeast, where the bridges already built are satisfactory to the city, and at any and every time in the future when the necessities of the public shall demand it and the City Council of said city require it done, construct in any other street or avenue of said city which now crosses the location specified for said tracks, such a bridge or viaduct in each case, with the abutments therefor, as shall at the time be specified and required by such City Council, and within such reasonable time, not less than one year, as shall in each case be fixed by such City Council. Notice of such requirement in each case to be given as above provided.

(7.) Construct all of said bridges and abutments in a thorough and substantial manner on plans and specifications approved by the City Council of said city, and of sufficient strength to support any pavement the city may elect to lay thereon.

Provided, That the pavement desired shall be specified at the time the bridge is required to be constructed.

And provided further, That no specification or requirement shall be made that will not allow the railway company twenty feet of head room from the top of its rails to the bottom of the floor beams of the bridge, and also to support all travel upon and across them at any rate of speed that may be permitted upon any of the streets of said city. The roadway and sidewalks in each case to be constructed by said railway company and to be of oak plank, the roadway double, with the under plank at least two inches thick and the upper plank at least three inches thick.

(8.) Forever keep and maintain all of the abutments of said bridges, as well as those already built, unless the same shall be damaged or destroyed through any action of the authorities of said city or any officer or agent thereof, the city building and maintaining the approaches to said bridges and maintaining the superstructures thereof, except in case of destruction or damage to superstructure by the negligence of any railway company using said railway.

(9.) Construct and forever keep and maintain suitable gutters therefor, and spouts if necessary, and forever keep away all surface water and drainage of the street of every kind, and fully prevent any of the same from running upon the westerly end of the suspension bridge, by reason of the raising of the grade of Hennepin Avenue over its railway track.

(10.) Maintain the culverts now built to carry Tuttle's creek across Fourth Street Southeast and University Avenue, and also by suitable culverts through the embankments at the intersection of the several streets not herein provided for with bridges, to prevent the damming up of surface water by such embankments.

(11.) Strictly comply with all the terms, conditions and requirements of this ordinance, and always in all things do and perform all things whatever which are in this ordinance stated and provided for, to be done and performed on its part, faithfully and promptly. On all that part of River Street below the southeasterly line of First Avenue North, all public travel shall be suspended, for and during the time the same shall be occupied for the railway purpses hereinabove authorized, and such travel shall likewise be suspended on the crossing of said Fifth Street Southeast until the construction of the bridge hereinabove provided for.

(12.) Indemnify and reimburse said city for all damages that may be done to the anchor piers of the suspension bridge by reason of any excavations for the tracks to cross Hennepin Avenue as aforesaid, and take any and all such precautions to the approval of the City Engineer of said city as may be necessary to prevent injury to said anchor piers by reason of such excavation.

SEC. 11. The city of Minneapolis reserves the right to enter upon all portions of said streets and avenues upon or over which said railway tracks shall be constructed, and to make thereon such excavations and do such other work thereon as may be necessary in the construction and repair of sewers, gutters, water mains, gas pipes or other works of public character, without being liable therefor to any claim for damages, and said railway company, its successors and assigns, shall afford all reasonable aid and facilities to said city in doing such work, and shall protect such railroad during such work, and shall relay its tracks at their own expense when such works are completed from time to time.

Rights reserved by the city.

SEC. 12. Said railway company, its successors and assigns, shall take every necessary precaution in the construction of their lines of railway upon and over said streets and avenues and in the erection of bridges and other works in connection therewith, to prevent accident or injury from the obstruction of said streets or any excavation therein and inteference therewith by said railway company, and shall indemnify and save harmless said city from all loss, claims or suits on account of the negligence of said company, its successors and assigns, or of any servant or employe thereof in or about any matter or thing authorized or allowed to be done hereby in said streets or the performance of said work or any part thereof, whereby said city shall be put to any loss or claim of damages. And they shall, upon notice of the commencement of any suit against said

Company shall take precaution to prevent accident.

city for any such neglect, defend such suit and pay and satisfy all judgments against said city therefor.

Said parties shall also perform all their works upon said streets in such manner and with such speed and promptness as not to unnecessarily hinder or interfere with the public travel thereon.

SEC. 13. If the said railway comyany, or its successors or assigns, shall at any time wilfully fail, neglect or refuse to conform to the provisions of this ordinance respecting the condition in which such street crossings or the bridges over said tracks or streets are to be kept, and such failure, neglect or refusal shall continue for the space of thirty days after notice from the City Council, or from any officer of this city by direction of the said Council, requiring them to conform to the provisions hereof in this matter, the City Council shall have and does hereby reserve the right and power in such cases, to do and perform all things necessary to put such streets and bridges into the condition provided for herein, and may maintain an action for the expense thereof against said company.

In case of wilfull failure, neglect or refusal to conform to provisions of the ordinance, the right and power of the city to do what

SEC. 14. Said Minneapolis Union Railway Company shall, within thirty days from the publication hereof, cause to be made and filed with the City Engineer, of said city, such maps, plans and profiles as shall be necessary to show, as near as may be, the exact location of such tracks and bridges, the embankments necessary in constructing the same, or the cuttings to be made across said streets, and the exact extent to which any of said streets will be affected thereby, and such maps, plans and profiles shall be held to show extents and limits of the grants herein contained.

Maps, plans and profiles to be filed with city engineer.

SEC. 15. The said railway company shall also, within thirty days from the publication hereof, file with the City Clerk, of said city, an instrument in writing, executed by its proper officers, accepting the provisions herein contained, and containing an agreement on the part of said railway company, its successors and assigns, to perform all the conditions of this ordinance, and upon default of filing such instrument of acceptance this ordinance shall be deemed to be rejected, and thereafter be and become void. And the St. Paul, Minneapolis & Manitoba Railway Company may, at the same time, in case of the acceptance as above, file with said Clerk its consent thereto and its consent to the repeal of the ordinance mentioned in section one hereof.

Written acceptance to be filed with the city clerk.

SEC. 16. The new passenger depot, together with each and all other improvements proposed and herein provided to be made, by and on the part of said railway company, shall be completed within two years from the passage of this ordinance.

Passenger depot to be completed within two years.

SEC. 17. It is hereby understood that the privileges granted the Minneapolis Union Railway Company in this ordinance shall not be taken as a precedent in any future railroad ordinance that may be passed by this council, and the privileges herein granted are in

Privileges granted not to be for a precedent for future ordinances.

consideration of the large amount of money to be expended by said railway company within the city.

SEC. 18. This ordinance shall take effect and be in force from and after its publication.

Passed January 12th, 1883.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 15th, 1883.

A. A. AMES,
Mayor.

LXXII.

AN ORDINANCE

PROHIBITING THE WHISTLING OF LOCOMOTIVE ENGINES WITHIN THE LIMITS OF THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That no person or persons shall sound or cause to be sounded, blow or cause to be blown, any whistle of any locomotive engine within the limity of the city of Minneapolis.

SEC. 2. Competent evidence of the fact of sounding or blowing of such whistle shall be *prima facie* proof that the engineer who at the time had charge of the engine committed the act.

Provided, That if upon the trial of this offense, the person accused shall prove in his defense, by competent evidence, that at the time the act was done there was imminent and immediate danger to life and property and that the whistle was sounded as a warning of such danger, he shall be held not guilty.

Penalty.

SEC. 3. Any person or persons offending against, or violating, any of the provisions of this ordinance shall be punished, on conviction, by a fine of not less than $5 nor more than $100, or by imprisonment of not less than five or more than thirty days, or both, in the discretion of the municipal court.

SEC. 4. This ordinance shall take effect and be in force from and after its publication.

Passed February 7th, 1883.

GEO. A. PILLSBURY,
President of the Council, pro tem.

Attest:
SELAH MATHEWS,
City Clerk.

Approved February 15th, 1883.
A. A. AMES,
Mayor.

LXXIII.

AN ORDINANCE

GRANTING PERMISSION TO THE WESTERN UNION TELEGRAPH COMPANY TO USE THE STREETS AND ALLEYS OF THE CITY.

The City Council of the City of Minneapolis do ordain as follows :

SECTION 1. That the Western Uuion Telegraph Company is hereby authorized to erect, establish and maintain within the limits of the city of Minneapolis, telegraph poles, and to stretch and maintain thereon the necessary wires for its telegraph business, according to the conditions hereinafter stated.

What rights granted.

SEC. 2. That the said company shall file in the office of the City Engineer a statement of the streets and alleys of the said city, which it has already occupied under permission of the committee on streets, grades and additions, and the City Engineer, in pur- uance of authority of the City Council, given December 18th, 1878.

Shall file statement in office of city enginneer.

SEC. 3. The said company shall file with the City Engineer written application for all streets or alleys it may hereafter wish to occupy with its poles and wires, as and when it may desire to occupy the same, and if such application shall be approved by the City Engineer and the Chief Engineer of the fire department, such approval shall be deemed a permission of the City to so occupy said streets and alleys for the purpose above stated.

Shall file written application with city engineer.

SEC. 4. All poles now set or hereafter to be set, shall be in such position and of such character as the City Engineer may ap- prove and determine.

All poles to be set shall be what.

Provided, That all poles hereafter set or reset by said company shall be not less than forty (40) feet in height, and shall be straight, smooth-shaved and well painted.

In case of change of grade poles to be reset how.

SEC. 5. In case of a change of grade at any street or pavement or width of any sidewalk so occupied by said company, it shall reset its poles so as to conform to the grade of such street or pavement so changed, and in such manner as the City Engineer shall direct, and said poles and wires shall be removed whenever in the opinion of the City Council the public interest shall so require.

SEC. 6. This ordinance shall take effect and be in force from and after its publication.

Passed March 28th, 1883.

MATTHEW WALSH,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved April 7th, 1883.

A. A. AMES,
Mayor.

LXXIV.

AN ORDINANCE

GRANTING PERMISSION TO THE AMERICAN DISTRICT TELEGRAPH COMPANY TO USE THE STREETS AND ALLEYS OF THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Authority granted to erect telegraph poles.

SECTION 1. That the American District Telegraph Company of this city is hereby authorized to erect and maintain within the limits of said city, and upon the various streets and alleys thereof, telegraph poles, and to stretch and maintain upon said poles, and with the consent of all interested parties, also upon the poles of other companies and the buildings in said city, the wires necessary for an American District telegraph, burglar, police and fire alarm system, subject to the provisions hereinafter stated.

SEC. 2. That the franchise shall be subject to the provision of any and all ordinances now in force or which may hereafter be enacted by the city council, regulating and controlling the use of the streets and other public grounds of the city, by telegraph, telephone or other companies using or operating lines of wire for correspondence or conversation, provided that all poles erected by said company shall be at least thirty (30) feet high, straight, smooth shaved, and well painted, and provided further, that said poles and wires shall be removed whenever in the opinion of the city council the public interest shall so require.

Provisions of the franchise.

SEC. 3. That in the use and enjoyment of the privileges hereby granted, said poles shall be erected at such place or places as the city engineer may direct, and the necessary wires strung at such height as he may prescribe, and that whenever said company shall desire to occupy any such streets and alleys for the purpose aforesaid it shall file with the city engineer written application therefor and said application if duly approved by said engineer and the chief engineer of the fire department, shall be deemed permission by said city to occupy said streets and alleys.

How said poles shall be erected and placed.

SEC. 4. That said company shall at once establish a complete circuit to include its own central office, headquarters of fire department, police headquarters, and chemical engine house and shall, subject to the approval of the respectives chiefs of the fire and police department, put in all apparatus and perfect all connections required in order to enable those having the call boxes of said company to instantly summon either of said departments whenever necessary, provided that all apparatus put in, and all connections with the fire department, police headquarters and engine house, shall be done without expense to the city.

All apparatus shall be put in and all connections made without expense to the city.

SEC. 5. That this ordinance shall take effect and be in force from and after its publication.

Passed March 28th, 1883,

MATTHEW WALSH,
President of the Council.

Attest:

SELAH MATHEW,
City Clerk.

Approved April 7th, 1883,

A. A. AMES,
Mayor.

LXXV.

AN ORDINANCE

GRANTING TO CERTAIN PERSONS THE RIGHT TO MAINTAIN AND OPERATE LINES OF HERDIC COACHES IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

Permission given to operate Herdic coaches.

SECTION 1. Permission is hereby granted to George H. Keith, George L. Scott and Leroy S. Buffington and their heirs and assigns, the right to maintain and operate upon the streees of said city, such line or lines of Herdic coaches or vehicles for transportation of passengers, constructed according to patents issued to Peter Herdic, as they may deem advisable, free from all license for, or other charges to said city.

Conditions of the grant.

SEC. 2. The grants herein made are upon the express condition that said grantees shall within six months from the publication hereof, establish not less than two miles of stated lines of such carriage, making not less than twenty trips per day upon such lines, and shall carry such passengers as may apply therefor, without discrimination, at rates of fare not exceeding five cents per mile, and in case said grantees shall fail to establish such lines within said term, or shall at any time thereafter fail to maintain the same, or shall demand greater rates of fare than herein provided for, this ordinance shall be void and said grantees shall be liable to all penalties provided in the ordinances of said city for conducting such business without license.

Coaches shall be numbered.

SEC. 3. All of the coaches so used by the grantees shall be plainly numbered, in a conspicuous place on each coach, from one (1) upward, and the same shall be duly recorded in the City Comptroller's office, for which a fee of one dollar ($1) shall be paid for each coach so recorded.

Penalty for violation of the ordinance.

SEC. 4. The grantees shall be held responsible for any violation of the provisions of this ordinance, either by themselves or their employees, and any person may make complaint to the Municipal Court, and on conviction, the person or persons found guilty shall be fined not to exceed twenty-five dollars ($25), according to the discretion of the court, and may be imprisoned until such fine and costs are paid.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed January 18th, 1882.

T. F. ANDREWS,
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved January 30th, 1882.

A. C. RAND,
Mayor.

LXXVI.

AN ORDINANCE

GRANTING TO CHARLES D. F. SMITH THE RIGHT TO LAY GAS PIPES IN THE STREETS OF THE CITY OF MINNEAPOLIS AND PROTECTING THE WORKS HEREIN AUTHORIZED.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. That Charles D. F. Smith, his heirs, executors, administrators and assigns, have, subject to the conditions hereinafter named, the right and privilege of manufacturing from coal and other materials, and selling in the city of Minneapolis, gas for lights, for heat, for power and for any other purpose for which such gas may be useful, and for laying in any of the streets, avenues and alleys of said city, such suitable gas mains and pipes as are necessary for the conducting and distributing such gas for any of the purposes aforesaid, together with the right, when necessary for that purpose, to enter with his or their agents and servants upon any of the streets avenues and alleys of said city, and under the regulations hereinafter prescribed to dig up the same, so far as may be necessary for the proper laying or repairing of such mains and pipes therein and necessary connections therewith, and to do all other things therein for the proper laying or repairing of such mains or pipes.

Right granted subject to conditions.

SEC. 2. That said Charles D. F. Smith, his heirs, executors, administrators and assigns have, also subject to the conditions hereinafter named, the right in person or by his or their agents or ser-

Right granted to enter building to examine gas meter.

vants to enter any public or private building in the city, in the day time, for the purpose of examining any gas meter in such building, in accordance with such reasonable regulations as may be established by said persons concerning the sale of gas in said city and the supplying of meters for measurement of same.

SEC. 3. The rights and privileges aforesaid are each and all given, subject to the following provisions, and not otherwise, and upon the following express conditions to-wit:

Provisions subject to what rights and privileges already granted.

(1.) It is understood by said Charles D. F. Smith that the Minneapolis Gas Light Company now claims, exclusively, all the rights and privileges herein named, under and by virtue of an ordinance of the City Council, approved February 24th, 1870, and of the certain act of the Legislature for the legalizing and confirming the same, found on page 411 of the special laws of 1879; and that he takes said rights and privileges, if at all, at his own risk, and subject to all rights and to all claims of right, of any other person and without any warranty or assurance that the said City Council has either right or power to give the same, or that he or his heirs, executors administrators or assigns can take, hold or enjoy anything hereunder.

Shall commence work within what time.

(2.) The said Charles D. F. Smith, his heirs, executors, administrators or assigns shall within six months from the date of the approval of this ordinance commence the construction in the city of Minneapolis of suitable Gas Works for the manufacture of gas, and shall thereafter diligently prosecute the work of their construction to a speedy completion, and shall within one year from the date of the approval hereof have properly laid in and along principal streets and avenues of said city at least three miles of suitable gas mains and pipe for the distribution of such gas, and within one year thereafter five additional miles of such mains and pipes, and at any and all points along the mains and pipes so laid be prepared to supply gas suitable for light, heat or power to the city of Minneapolis if desired and to any and all other persons desiring the same.

Provided, however, That in computing said time, no portion of the time, if any such there shall be, during which he or they are by legal injunction or retaining order of court actually prevented from prosecuting said work shall be included.

(3.) He or they shall with all diligence thereafter lay and extend such mains and pipes along any and all streets and avenues in said city where gas may be needed by the people of the city, and shall, when asked to do so (except in time of frozen ground) by at least six occupants of a house, tenement or store, who may desire to use gas upon either side of the street within the distance of a block, contiguous to any block where any mains or pipes are already laid, extend such mains and pipes throughout such block.

(4.) He or they shall at all times on reasonable demand therefor and at reasonable prices, which shall not at any time exceed the sum of two dollars and twenty-five cents ($2.25) per thousand feet, for gas a strength at least equal to seventeen candle power, sell and distribute to the city of Minneapolis and to any and all of the people in said city at any and all points reached or which may be reached by their mains and pipes as above provided, suitable gas therefor and all that may be required for any of the purposes above named, and shall make all connections with their said mains or pipes and afford all needed facilities to all for the taking and using of such gas.

Rates for which to be furnished.

(5.) He or they shall at any or all times submit to any and all reasonable regulations and requirements which the State Legislature, or the City Council of the city of Minneapolis, may at any time make for the inspection of their gas, and shall at all times afford any inspector lawfully appointed for that purpose ample facilities for testing or inspecting the same, and shall manufacture and at all times keep their gas in quantity and power up to such reasonable standard as may at any time be required of him or them by said City Council.

Shall at all times submit to what rules and regulations.

(6.) He or they shall not in any case lay any main or pipe in any street, avenue or alley of said city, except in locations in manner and upon plans which shall first be approved by the City Engineer of said city, and when he or they shall desire to lay any particular line or section of such gas mains or pipes, he or they shall first, and at least three weeks before commencing work thereon, prepare and submit to the said City Engineer maps and plans showing the location, size, material and manner of laying such mains or pipes, and shall thereafter change or modify such maps and plans, if required to do so by said City Engineer, or by the City Council of said city, as required, and when finally approved shall furnish to said City Engineer, a duplicate of the maps and plans so approved, (which maps and plans it is hereby made the duty of said City Engineer to preserve and always keep in his office,) and shall only lay such gas mains and pipes in accordance with the maps and plans so approved.

All pipes and mains to be approved by the city engineer.

(7.) He or they shall not dig up more than one hundred feet in length of any one street, avenue or alley in said city, at any one time and shall in each case replace such excavation within 12 hours and before making any further excavation.

(8.) He or they shall not in any case displace, interfere with, injure or endanger any sewer, conduit, water or gas main or pipe or any other property or inprovement placed in any street by the city or by any other person.

(9.) He or they shall not in any case unnecessarily interfere with any travel on or traffic in any street.

All material taken out in making excavations shall be replaced.

(10.) He or they shall in all cases of excavations or other necessary obstructions in the streets, effectually guard the same by proper barriers to prevent any accident, and if in the night time shall give further warning by lights constantly and conspicuously displayed at all approaches thereto.

(11.) He or they shall in all cases so replace all material taken out in making any excavation as to leave the same solid and the surface of the street as it was before; wetting or ramming such material, or both as may be necessary for that purpose, and wherever any street, avenue or alley shall at the time of making the excavation be paved, macadamized or otherwise improved, he or they shall forthwith so reconstruct and replace such work or improvement that it shall be as good, substantial and durable as it was before.

What rights reserved to the city.

(12.) The right is hereby saved in and reserved to the city of Minneapolis in any and all cases in the discretion of its City Council to forbid and prevent the laying of any main or pipe along any street in or near the centre thereof, and to require instead two lines of mains or pipes, one on each side of the same in or near the gutter. And also the right to forbid and prevent the digging up, obstructing or interfering with any street in the day time for the purpose of laying or repairing any main or pipe, or for any other purpose, and to require instead that all such work to be done within such hours of the night as it may designate, no more being undertaken in any one night than is completed during the same night.

Forfeiture in case of failure.

(13.) In case of any failure by said Charles D. F. Smith, his heirs, executors, administrators or assigns, to do any material thing by this ordinance required of him or them, or in case of any failure by him or them to observe any of the regulations aforesaid, then in either case such failure shall forthwith work a forfeiture by him or them of all the rights and privileges herein named.

Written acceptance to be filed within what time.

(14.) The said Charles D. F. Smith, for himself and for his heirs, executors, administrators and assigns, shall, within twenty days after the approval of this ordinance, if he desires the benefits of the same, file with the City Clerk of the city of Minneapolis his acceptance of the same upon the conditions and subject to the provisions above named, which written acceptance shall also contain an agreement binding him and his heirs, executors, administrators and assigns to construct gas works and to manufacture, distribute and sell gas as therein required and to do all other things therein required of him or them as therein required, and in case of a default in filing such instrument of acceptance, this ordinance shall be deemed to be rejected and shall become and be thereafter void.

Penalty for violating this ordinance.

SEC. 4. If any person shall wilfully do or cause to be done any act or thing whatever, to injure any building, structure, machine, main, pipe or other thing pertaining to the business of manufactur-

ing or distributing gas, carried on under the license hereby given, whereby the same may be in any manner injured or damaged, or the business of manufacturing or supplying gas be hindered or obstructed, the person so offending shall upon convictior thereof before any court of competent jurisdiction be punished by a fine not exceeding one hundred dollars and may be imprisoned until such fine and costs are paid, not exceeding thirty days.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed September 27th, 1882.

MATTHEW WALSH.
President of the Council.

Attest:
SELAH MATHEWS,
City Clerk.

Approved October 13th, 1882.

A. A. AMES,
Mayor.

LXXVII.

AN ORDINANCE

ESTABLISHING THE GRADES OF THE SEVERAL STREETS IN THE CITY OF MINNEAPOLIS.

The City Council of the City of Minneapolis do ordain as follows:

SECTION 1. A datum line or base from which the grades of the several streets within the city of Minneapolis shall be determined, is hereby defined and designated by reference to the following described bench marks, namely:

The top of the stone water table at the northwest corner of the brick building standing at the southeasterly corner of Hennepin Avenue and Third Street, known as Bidwell's Block, is one hundred and thirty-one .918 feet above datum.

The top of the granite coping at the corner of the wall at the southeasterly corner of Hennepin Avenue and Oak Grove Street is one hundred and twenty-four .853 feet above datum.

The top of the water table at the southeasterly corner of the building at the corner of Washington and Nicollet Avenues, known as the First National Bank building, is one hundred and thirty-two .236 feet above datum.

The top of the water table at the northwesterly corner of the building known as the Centennial Block, at the southeasterly corner of Washington Avenue and Fifth Avenue south, is one hundred and sixteen .615 feet above datum.

SEC. 2. The grades of the several streets and Avenues within this city are hereby established at the several points therein hereinafter designated at the height above datum indicated in feet and fractions thereof by the numerals and decimals hereinafter stated, that is to say:

Bluff street—At its intersection with
- Cedar avenue 109.50
- Nineteenth avenue south 99.00
- Twentieth avenue south 77.50

Chestnut avenue—At its intersection with
- Eleventh street 138.00
- Twelfth 138.50
- Fifteenth 132.00
- Sixteenth 130.00
- Seventeenth 128.00
- Lyndale avenue 118.00

Cedar avenue—At its intersection with
- Bluff street 100.50
- First street 121.00
- Second street 132.00
- Washington ave. east of Cedar ave 129.50
- Washington ave. west of Cedar ave 126.00
- Two-and-one-half street 118.00
- Third street west of Cedar ave 116.50
- Third street east of Cedar ave 116.25
- Fourth street west of Cedar ave 115.75
- Fourth street east of Cedar ave 115.50
- Fifth street west of Cedar ave 124.00
- Fifth street east of Cedar ave 123.50
- Sixth street east of Cedar ave 125.50
- Sixth street west of Cedar ave 126.00
- Seventh street east of Cedar ave 130.00
- Seventh street west of Cedar ave 131.00
- Eighth street 128.00
- Ninth street 129.20
- Franklin avenue 130.00

Erie avenue—At its intersection with
- Lyndale avenue 110.00
- Hennepin avenue 121.00

Franklin avenue—At its intersection with
- Nicollet avenue 164.50
- First avenue south 174.00
- Stevens avenue 160.00
- Second avenue south 153.50

Third avenue south.....152.00
Three-and-one-half avenue south.....155.00
Fourth avenue south.....153.50
Fifth avenue south.....153.00
Sixth avenue south.....154.50
Park avenue.....151.00
Eighth avenue south.....143.00
Ninth avenue south.....141.00
Tenth avenue south.....142 00
Eleventh avenue south.....140.00
Twelfth avenue south.....139.00
Thirteenth avenue south, north of Franklin avenue.....138.00
Thirteenth avenue south, south of Franklin avenue.....137.00
Fourteenth avenue south, north of Franklin avenue.....136.00
Fourteenth avenue south, south of Franklin avenue.....135.00
Fifteenth avenue south, north of Franklin avenue.....134.50
Fifteenth avenue south, south of Franklin avenue.....134.27
Bloomington avenue.....133.48
Sixteenth avenue south, north of Franklin avenue.....133.00
Sixteenth avenue south, south of Franklin avenue.....132.64
Seventeenth avenue south.....131.76
Eighteenth avenue south.....130.88
Cedar avenue.....130.00
Nineteenth avenue south.....128.00
Twentieth avenue south.....127.00
Twenty-first avenue south.....129.50
Twenty-second avenue south.....132.00
Twenty-third avenue south.....131.00
Twenty-fourth avenue south.....130 00
Twenty-fifth avenue south.....131.00
Twenty-sixth avenue south.....130.00
Twenty-seventh avenue south.....127.50
Twenty-eighth avenue south.....126.25
Twenty-ninth avenue south.....125.00

Grant street—At its intersection with

Spruce Place.....120.00
Vine Place.....128 00
Nicollet avenue.....129.00
First avenue south north of Grant street.....146.00
Stevens avenue.....143.50
Second avenue south north of Grant street.....144.20
Second avenue south, south of Grant street.....144.50
Third avenue south.....145.00
Three and one-half avenue south.....146.00
Twelfth street.....146.00
Fourth avenue south, south of Grant street.....145.50
Fifth avenue south, south of Grant street.....139.00
Sixth avenue south, Portland avenue.....139.25

High street—At its intersection with
Hennepin avenue.....121.60
First avenue south.....128.00
Second avenue south.....134.00
Hoag avenue—At its intersection with
Sixth avenue north.....118.50
Seventh avenue north.....114.00
Eighth avenue north.....105.00
Hennepin avenue—At its intersection with
A point 50 feet west of the west end suspension e.....123.10
Northeasterly line, High street.....121.60
First street.....125.60
Second street.....128.00
Washington avenue.....130.50
One hundred and five feet southwesterly from center of Washington avenue.....130.75
Third street.....30.00
Fourth street.....138.00
Fifth street.....139.00
Sixth street.....140.00
Seventh street.....141.25
Eighth street.....140.25
Ninth street.....139.25
Tenth street north.....138.50
Tenth street south.....138 50
Eleventh street.....138.00
Twelfth street.....141.50
Thirteenth street.....147.00
Fourteenth street.....142.00
Fifteenth street.....137.00
Sixteenth street.....131.00
The Angle.....125.00
Erie avenue.....121.00
Bridge over creek.....117.00
Huron avenue, extended.....119.00
Superior avenue.....121.00
Oak Grove street.....29.00
Lyndale avenue.....145.00

OAK LAKE ADDITION.

Highland avenue—At its intersection with
Lyndale avenue.....112.00
Westerly line lot 10, block 2.....121.00
Easterly line lot 11, block 2.....123.00
Easterly line lot 15, block 2.....127.00
Easterly line lot 21, block 2.....130.00
Southerly line lot 43, block 3.....128.00

Northerly line lot 40, block 3.....127.00
Northerly line lot 39, block 3.....126.50
Northerly line lot 38, block 3.....128.00
Southerly line lot 15, block 4.....130.50
Southerly line lot 35, block 3.....131.00
Northerly line lot 31, block 3.....130.00
Hillside Place.....129.00
Easterly line lot 2, block 4.....131.00
Royalston avenue.....133.00

Hawthorne avenue—At its intersection with
Ninth street.....137.50
Tenth street.....140.00
Eleventh street.....139.00
Twelfth street.....140.00
Thirteenth street.....144.00
Fifteenth street.....141.50
Sixteenth street.....145.00
Seventeenth street.....143.00
Lyndale avenue.....142.00

Harmon Place—At its intersection with
Tenth street.....137.50
Eleventh street.....134.00
Twelfth street.....133.50
Thirteenth street.....142.00
Fourteenth street.....133.50

Linden avenue—At its intersection with
Twelfth street.....139.75
Thirteenth street.....142.00
Fifteenth street.....145.00
Sixteenth street.....139.00
Seventeenth street.....135.00
Lyndale avenue.....133.00

Lyndale avenue—At its intersection with
Hennepin avenue.....145.00
Oak Grove street.....128.00
Superior avenue.....118.00
Huron avenue.....111.00
Erie avenue.....110.00
Ontario avenue.....125.00
Laurel avenue.....140.00
Hawthorne avenue.....142.00
Linden avenue.....133.00
Chestnut avenue.....118.00
St. P. & P. railroad.....110.00
First avenue north.....107.00
Western avenue.....113.00
Third avenue north.....118.00
Fourth avenue north.....116.00

Fifth avenue north.....112.00
Sixth avenue north.....110.00
Seventh avenue north.....104.00
Eighth avenue north.....102.00
Bassett's Creek.....100.00
500 feet south of reservation line.....105.00
Eleventh avenue north.....120.00
Twelfth avenue north.....122.50
Thirteenth avenue north.....126.00

Laurel avenue—At its intersection with

Fifteenth street.....139.00
Sixteenth street.....142.00
Seventeenth street.....144.00
Lyndale avenue.....140.00

Mary Place—At its intersection with

Eighth street.....140.50
Ninth street.....139.50
Quarter way to Tenth street.....139.75
Tenth street.....139.00
Half way to Eleventh street.....136.50
Eleventh street.....135.50

Nicollet avenue—At its intersection with

Northeasterly line of High street.....121.60
First street.....125.60
Second street.....128.00
Washington avenue.....130.00
Third street.....129.00
Fourth street.....134.00
Fifth street.....139.00
Sixth street.....145.00
Seventh street.....143.00
Eighth street.....141.00
Ninth street.....139.00
Tenth street.....137.50
Half way to Eleventh street.....137.00
Eleventh street.....139.00
Twelfth street.....141.00
Thirteenth street.....135.00
West line northeast ¼ section 27.....129.80
Grant street.....129.00
Fourteenth street.....132.00
Fifteenth street.....139.00
Sixteenth street.....140.00
Seventeenth street.....142.50
Eighteenth street.....151.50
Nineteenth street.....155.50
Franklin avenue.....164.50

Oak Grove street—At its intersection with

Nicollet avenue.....142.50
Vine Place.....139.00
Spruce Place.....155.00
First angle west of Spruce Place.....156.00
At center lot C. J. S. Johnson's addition.....155.00
180 feet west of west line of lot D, J. S. Johnson's addition...134.00
Opposite southwest corner lot G, J. S. Johnson's addition....130.00
First angle east of Hennepin ave.....118.00
Hennepin ave.....129.00
Lyndale ave.....128.00

Oak Lake avenue—At its intersection with
Sixth avenue north.....114.00
Seventh avenue north.....111.00
Half way to Eighth avenue north.....113.00
Eighth avenue north.....109.00
Tenth avenue north.....108.00

Park avenue—At its intersection with
Fourteenth street.....136.50
Fifteenth street.....137.50
Sixteenth street.....138.50
Seventeenth street.....140.50
Eighteenth street.....142.50
Nineteenth street.....144.00
Franklin avenue.....151.00

River street—At its intersection with
Hennepin ave.....112.20
First avenue north.....111.00
Second avenue north.....115.50
Third avenue north.....116.00
Fourth avenue north.....120.50
Fifth avenue north.....122.50
Sixth avenue north.....124.00

Royalston avenue—At its intersection with
Highland avenue.....133.00
Opposite southerly alley in block 4.....132.00
Opposite alley in block 5.....130.50
Opposite N. E. corner lot 33, block 4.....122.50
Valley avenue.....130.00
Sixth avenue north, in Bradford & B addition.....120.50
Seventh avenue north, in Bradford & B addition.....120.50
One-half way to 8th avenue north.....123.00
Eighth avenue north.....113.00

Stevens avenue—At its intersection with
Grant street.....143.50
Fourteenth street.....141.00
Fifteenth street.....144.50
Sixteenth.....146.00
Seventeenth.....147.00

Eighteenth. 148.00
Nineteenth.....150.00
Franklin avenue.....160.00
Valley avenue—At its intersection with
Northerly line lot 12 block 1.....116.00
Northerly line lot 24 block 2.....117.00
Easterly line lot 22 block 4.....116.50
Royalston avenue.....122.50
Washington avenue—At its intersection with
Hennepin avenue.....130.50
First avenue north.....131.50
Second avenue north.....130 00
Third avenue north.....127.00
Fourth avenue north.....221.00
Fifth avenue north.....118.00
Sixth avenue north.....116.50
Seventh avenue, or Cross street.....113.50
Seventh avenue, or Lewis street.....112.00
Bridge over Bassett's Creek.....109.00
Eighth avenue north.....106.00
Ninth avenue north.....112.00
Tenth avenue north.....115.00
Twelfth avenue north.....116.00
Thirteenth avenue north.....117.50
Nicollet avenue.....130.00
Half way to first avenue south.....130.50
First avenue south.....130.00
Second avenue south.....126.00
Third avenue south.....119 50
Fourth avenue south.....116.50
Fifth avenue south.....115.50
Half way to Sixth avenue south.....116.00
Sixth avenue south.....115.50
Half way to Seventh avenue south.....116.00
Seventh avenue South.....115.50
Eighth avenue south.....117.00
Ninth avenue south.....119.00
Tenth avenue south.....121.00
Eleventh avenue south.....120.00
Twelfth avenue south.....122.00
Thirteenth avenue south.....128.00
Fourteenth avenue south.....129.00
Fifteenth avenue south.....128.00
Cedar avenue.....126.00
Washington avenue—East of Cedar ave. and Cedar ave.....129.50
Nineteenth avenue south.....127.50
Twentieth avenue south.....113.50
Twenty-first avenue south.....94.50

Twenty-second avenue south..... 44.00
Western avenue—At is intersection with
Seventh street.....140.00
Ninth street.....136.00
Tenth street.....139.00
Eleventh street.....138.00
Twelfth street.....135.00
Bridge over railroad..... Grade
Sixteenth street extended.....111.00
Seventeenth street extended.....112.00
Lyndale avenue.....113.00
Yale Place—At its intersection with
Twelfth street.....131.50
Thirteenth street.....130.50
First street—At its intersection with
Hennepin avenue north.....125.50
First avenue north.....128.00
Second avenue north..... 127.00
Third avenue north.....128.00
Southeasterly end of bridge, over St Paul & Pacific railroad.135.20
Northwesterly end of bridge, over St. Paul & Pacific railroad.135.25
Fourth avenue north.....131 00
Fifth avenue north.....129.00
Sixth avenue north.....127.00
Seventh avenue north.....117.00
Bridge over Bassett's Creek.....14.00
Eighth avenue north.....115.00
Ninth avenue north.....114.00
One-half way to Tenth avenue north.....114.50
Tenth avenue north.....114.00
Thirteenth avenue north.....114.00
Nicollet avenue.....125.60
First avenue south.....128.00
Second avenue south.....129.50
Third avenue south.....130.75
Fourth avenue south.....120.00
Fifth avenue south.....106.00
Sixth avenue south..... 90.50
Twelfth avenue south.....104 00
Thirteenth avenue south.....112.00
Fourteenth avenue south.....120.00
Cedar avenue.....121.00
Nineteenth avenue south.....113.00
Twentieth avenue south.....101.00
Twenty-first avenue south..... 84.00
Second street—At its intersection with
Hennepin avenue north.....128.00
First avenue north.....127.50

Second avenue north.....126.50
Third avenue north.....125.00
St. Paul & Pacific railroad.....119.50
Fourth avenue north.....123.00
Fifth avenue north.....126.00
Sixth avenue north.....124.00
Seventh avenue north.....115.00
Culvert over Bassett's creek.....107.50
Eighth avenue north.....108.50
Ninth avenue north.....112.00
Tenth avenue north.....113.00
Nicollet avenue.....128.00
First avenue south.....126.00
Second avenue south.....123.00
Third avenue south.....121.00
Fourth avenue south.....117.00
Fifth avenue south.....116.00
Sixth avenue south.....112.60
Seventh avenue south.....111.00
Eighth avenue south.....113.00
Ninth avenue south.....116.00
Tenth avenue south.....115.00
Eleventh avenue south.....118.50
Twelfth avenue south.....122.50
Thirteenth avenue south.....126.00
Fourteenth avenue south.....120.00
Cedar avenue.....132.00
Nineteenth avenue south.....126.00
Twentieth avenue south.....108.00
Twenty-first avenue south.....78.00
Twenty-second avenue south.....66.00

Two and one-half street—At its intersection with

Cedar avenue.....118.00
One-half way to Nineteenth avenue south.....118.50
Nineteenth avenue south.....118.00
Twentieth avenue south.....114.50
Twenty-first avenue south.....107.00
Twenty-second avenue south.....40.00

Third street—At its intersection with

Hennepin avenue.....130.00
First avenue north.....132.50
Second avenue north.....133.50
Third avenue north.....131.00
Fourth avenue north.....122.00
Fifth avenue north.....115.00
Sixth avenue north.....113.00
Seventh avenue north.....111.00
Eighth avenue north.....110.00

Ninth avenue north.....111.00
Tenth avenue north.....113.50
The angle.....114.50
Twelfth avenue north.....115.00
Thirteenth avenue north.....116.00
Nicollet avenue.....129.00
First avenue south.....128.00
Second avenue south.....127.00
Third avenue south.....123.00
Fourth avenue south.....122.00
Fifth avenue south.....119.25
Sixth avenue south.....118.00
Seventh avenue south.....119.00
Eighth avenue south.....118.00
Ninth avenue south.....118.50
Tenth avenue south.....119.50
Eleventh avenue south.....117.50
Twelfth avenue south.....118.50
Thirteenth avenue south.....123.00
Fourteenth avenue south.....118.50
Fifteenth avenue south.....117.50
Sixteenth avenue south.....116.50

Third street—At its intersection with

Cedar avenue, west of Cedar avenue.....116.50
Cedar avenue, east of Cedar avenue.....116.25
Half way to Nineteenth avenue south.....118.50
Nineteenth avenue south.....115.50
Half way to Twentieth avenue south.....116.00
Twentieth avenue south.....115.50
Twenty-first avenue south.....113.50
Twenty-second avenue south.....72.00

Fourth street—At its its intersection with

Hennepin avenue south.....138.00
First avenue north.....141.00
Second avenue north.....140.00
Half way to Third avenue north.....138.75
Third avenue north.....130.73
Point 172 feet north from center of Third avenue north.....124.00
Fourth avenue north.....123.00
Point 100 feet north from center of Fourth avenue north.....123.00
Fifth avenue north.....119.00
Sixth avenue north.....121.00
Seventh avenue north.....123.00
Point 364 feet north from center of Seventh avenue north.....120.00
Point 624 feet north from center of Seventh avenue north.....111.00
Ninth avenue north.....108 00
Tenth avenue north.....112.00
Eleventh avenue north.....113.00

Twelfth avenue north.....114.00
Thirteenth avenue north.....115.00
Nicollet avenue.....134.00
First avenue south.....135.00
Second avenue south.....133.00
Third avenue south.....126.50
Fourth avenue south.....123.50
Fifth avenue south.....122.00
Half way to sixth avenue south.....122.50
Sixth avenue south.....122.00
Seventh avenue south.....123.00
Eighth avenue south.....131.00
Ninth avenue south.....129.00
Tenth avenue south.....123.00
Eleventh avenue south.....119.00
Twelfth avenue south.....119.50
Thirteenth avenue south.....120.00
Fourteenth avenue south.....121.00
Fifteenth avenue south.....122.00
Sixteenth avenue south.....117.00
Cedar avenue, west of Cedar avenue.....115.75
Cedar avenue, east of Cedar avenue.....115.50
Nineteenth avenue south.....114.50
Twentieth avenue south.....113.50
Twenty-first avenue south.....112.50
Twenty-second avenue south.....111.00

Fifth street—At its intersections with

Hennepin avenue north.....139.00
First avenue north.....138.00
Second avenue north.....128.00
Third avenue north.....126.00
Fourth avenue north.....121.00
Fifth avenue north.....105.00
Sixth avenue north in Bradford & Lewis' addition.....103.60
Seventh avenue north.....101.60
Bridge over Bassett's creek.....100.00
Ninth avenue north.....105.00
Tenth avenue north.....110.00
Eleventh avenue north, northeast of Fifth street.....1 4.00
Eleventh avenue north, northwest of Fifth street.....118.00
Sixth street.....120.00
Twelfth avenue north.....119.00
Thirteenth avenue north.....116.00
One half way between Hennepin and Nicollet avenues.....140 00
Nicollet avenues.....140.00
Nicollet avenue.....139.00
First avenue south.....138.00
Second avenue south.....135.00

Third avenue south.....135.00
Fourth avenue south.....133.00
Fifth avenue south.....128.00
Sixth avenue south.....126.00
Seventh avenue south.....132.50
Eighth avenue south.....137.00
Ninth avenue south.....135.00
Tenth avenue south.....127.50
Eleventh avenue south.....122.00
Twelfth avenue south.....120.50
Thirteenth avenue south.....120.00
Fourteenth avenue south.....119.00
Fifteenth avenue south.....118.50
Sixteenth avenue south.....118.00
Seventeenth avenue south.....124.00
Cedar avenue, west of Cedar.....124.00
Cedar avenue, east of Cedar.....123.50
Nineteenth avenue south.....122.00
Twentieth avenue south.....118.00
Twenty-first avenue south.....117.00
Twenty-second avenue south.....120.00

Sixth street—At its intersection with

Hennepin avenue.....140.00
First avenue north.....139.00
Second avenue north.....123.00
Third avenue north.....118.00
Fourth avenue north.....116.00
Fifth avenue north.....107.50
Sixth avenue north in Bradford & Lewis' addition.....106.00
Sixth avenue north in Bradford & Bassett's addition.....106.00
Seventh avenue north in Bradford & Bassett's addition.....103.00
Eleventh avenue north west line of.....121.00
Fifth Street.....120.00
Twelfth avenue north.....121.00
Thirteenth avenue north.....122.00
Nicollet avenue.....145.00
First avenue south.....142.50
Second avenue south.....136.50
Third avenue south.....135.50
Fourth avenue south.....134.00
Fifth avenue south.....133.50
One-half way to sixth avenue south.....134.00
Sixth avenue south.....133.50
Seventh avenue south.....131.00
Eighth avenue south.....130.00
Ninth avenue south.....128.00
Tenth avenue south.....125.75
Eleventh avenue south.....124.00

Twelfth avenue south.....125.00
Thirteenth avenue south.....121.00
Fourteenth avenue south.....121.50
C. M. & St. Paul railroad.....123.50
Fifteenth avenue south.....120.50
Sixteenth avenue south.....123.00
Seventeenth avenue south.....125.00
Sixth street west of Cedar avenue.....126.00
Sixth street east of Cedar avenue.....125.50
Nineteenth avenue south.....124.00
Twentieth avenue south.....132.00
Twenty-first avenue south.....133.50
Twenty-second avenue south.....136.50
Twenty-third avenue south.....139.00
Twenty-fourth avenue south.....131.50
Twenty-fifth avenue south.....129.00
Twenty-sixth avenue south.....124.00
Twenty-seventh avenue south.....105.50
Twenty-eighth avenue south.....90.00

Seventh street at its intersection with

Hennepin avenue.....141.25
First avenue north.....140.00
Second avenue north.....131.50
Ninth street.....129.00
Nicollet avenue.....143.00
First avenue south.....140.00
Second avenue south.....137.50
Third avenue south.....139.00
Fourth avenue south.....140.50
Fifth avenue south.....138.75
Sixth avenue south.....137.00
Seventh avenue south.....133.00
Eighth avenue south.....131.00
Ninth avenue south.....130.00
Tenth avenue south.....128.00
Eleventh avenue south.....129.00
Twelfth avenue south.....132.00
Thirteenth avenue south.....135.00
Fourteenth avenue south.....126.50
Fifteenth avenue south.....125.00
Sixteenth avenue south.....126.50
Seventeenth avenue south.....128.50
Eighteenth avenue south.....130.50
Seventh street, west of Cedar avenue.....131.00
Seventh street, east of Cedar avenue.....130.00
Nineteenth avenue south.....125.00
Twentieth avenue south.....134 00
Twenty-first avenue south.....138 50

Twenty-second avenue south.....131.00
Twenty-third avenue south.....129.50
Twenty-fourth avenue south.....128.00
Twenty-fifth avenue south.....130.00
Twenty-sixth avenue south.....126.00
Twenty-seventh avenue south.....116.00
Twenty-eighth avenue south.....98.00
Twenty-ninth avenue north.....80.00

Eighth street—At its intersection with

Hennepin avenue.....140.25
First Avenue north.....138.00
Mary Place.....140.50
Nicollet Avenue.....141.00
First Avenue south.....140.50
One-half way to Second avenue south.....140.50
Second avenue south.....140.00
One-half way to Third avenue south.....140.50
Third avenue south.....140.00
One-half way to Fourth avenue south.....140.00
Fourth avenue south.....140.00
Fifth avenue south.....138.00
Sixth avenue south.....135.00
Seventh avenue south.....134.00
Eight avenue south.....129.00
Ninth avenue south.....125.00
Tenth avenue south.....126.00
Eleventh avenue south.....133.00
Twelfth avenue south.....135.00
One-half way to Thirteenth avenue south.....132.75
Thirteenth avenue south.....128.50
Fourteenth avenue south.....127.50
Fifteenth avenue south.....131.00
Sixteenth avenue south.....129.00
Seventeenth avenue south, extended.....130.00
Eighth street, east of Cedar avenue with Cedar avenue.....128.00
(Not a plane between last two points)
Ninteenth avenue south.....125.50
Twentieth avenue south.....128.00
Twenty-first avenue south.....132.00
Twenty-second avenue south.....135.00
Twenty-third avenue south.....130.00
Twenty-fourth avenue south.....127.00
Twenty-fifth avenue south.....126.00
Twenty-sixth avenue south.....125.00
Twenty-seventh avenue south.....124.00
Twenty-eighth avenue south.....118.00
Twenty-ninth avenue south.....105.00

Ninth street—At its intersection with

Hawthorne avenue 137.50
First avenue north 137.00
Western avenue 136.00
Second avenue north, in Hoag and Bell's addition 132.50
Second avenue north in Wilson, Bell and Wagner's addition .. 129.00
Third avenue north 121.00
Hennepin avenue 139.25
Mary place 139.50
Nicollet avenu 139.00
First avenue south 137.50
Second avenue south 136.00
Third avenue south 135.50
Fourth avenue south 134.50
Fifth avenue south 133.00
Sixth avenue south 131.00
Seventh avenue south 129.00
Eighth avenue south 128.00
Ninth avenue south 126.00
Twelfth avenue south 130.50
(Not a place between Ninth and Twelfth avenues south.)
Thirteenth avenue south 129.50
Fourteenth avenue south 128.50
Cedar avenue 129.20
(Not a place between Fonrteenth avenue south and Cedar ave.)
Nineteenth avenue south 126.00
Twentieth avenue south 126.50
Twenty-first avenue south 128.50
Twenty-second avenue south 130.00
Twenty-third avenue south 129.00
Twenty-fourth avenue south 128.00
Twenty-fifth avenue south 129.00
Twenty-sixth avenue south 127.00
Twenty-seventh avenve south 126.50
Twenty-eighth avenue south 128.50
Twenty-ninth avenue south 116.00

Tenth street—At its intersection with
Hennepin avenue running north 138.50
Hawthorne avenue 140.00
First avenue north 138.00
Western avenue 139.00
Second avenue north 130.50
Hennepin avenue south 138.50
Harmon place 137.50
Mary Place 139.00
Nicollet avenue 137.50
Three-fourth way to First avenue south 138.25
First avenue south 138.00
Second avenue south 137.50

One hundred and three feet westerly from Third avenue south....138.25
Third avenue south.....138.00
Fourth avenue south.....137.50
One hundred and three feet easterly from Fourth avenue south....137.75
Fifth avenue south.....137.00
Sixth avenue south.....138.00
Seventh avenue south.....137.00
Park avenue.....135.00
Eighth avenue south in Mattison's addition.....133.00
Eighth avenue south or Chicago avenue.....129.50

Eleventh street—At its intersection with
Hennepin avenue.....138.00
Hawthorne avenue.....139.00
Chestnut avenue.....138.00
First avenue north.....137.00
Western avenue.....138.00
Second avenue north.....128.00
Harmon Place.....134.00
Mary Place.....135.50
Nicollet avenue.....130.00
First avenue south.....138.50
308 feet easterly of First avenue south.....139.00
Second avenue south.....138.75
205 feet easterly of Second avenue south.....139.50
Third avenue south.....139.00
102 feet easterly of Third avenue south.....139.25
Fourth avenue south.....138.50
Fifth avenue south.....137.50
Sixth avenue south, (not Portland avenue).....139.00

Twelvth Street—At its intersection with
Hennepin avenue.....141.00
Hawthorne avenue.....140.00
Linden avenue.....139.75
Angle between Linden and Chestnut avenues.....139 40
Chestnut avenue.....138.50
First avenue north.....136.50
Western avenue.....135.00
Sixth avenue north.....105.00
(Not a place between last two points.)
Harmon Place.....133.00
Yale Place.....131.00
Mary Place, if extended.....138.00
Nicollet avenue.....141.00
First avenue south.....142.00
Second avenue south.....143.00
Third avenue south.....144.00
Grant street.....146.00

Thirteenth street—At its intersection with

Hennepin avenue.....147.00
Hawthorne avenue.....144.00
Linden avenue.....142.00
Harmon Place.....142.00
Yale Place.....130.50
Vine Place.....123.00
North and south quarter line of section 27—29—24 Nicollet avenue.....135.00
First avenue south.....140.00
Second avenue south.....143.75
Grant street.....144.50

Fourteenth street—At its intersection with
Spruce street.....125.00
Vine Place.....129.00
West of Nicollet, with Nicollet avenue.....132.00
East of Nicollet, with Nicollet avenue.....132.00
First avenue south.....139.00
Stevens avenue.....141.00
Second avenue south.....142.00
Third avenue south.....143 00
Three and one-half avenue south.....145.00
Fourth avenue south.....144.50
Fifth avenue south.....143.00
One-half way to Sixth avenue south.....143.50
Sixth avenue south.....143.00
Park avenue.....136 50
Eighth avenue south.....129.50
Ninth avenue south.....131.00
Tenth avenue south.....129.00
Eleventh avenue south.....130.00

Fifteenth street—at its intersection with
Hennepin avenue.....137.00
Laurel avenue.....139.00
Hawthorne avenue.....141.50
Linden avenue.....145.00
Chestnut avenue.....132.00
Spruce Place.....130.00
Vine Place.....135.00
West of Nicollet and Nicollet avenue
East of Nicollet and Nicollet avenue.....139.00
First avenue south.....143.00
Stevens avenue.....144.50
Second avenue south.....143.00
Third avenue south.....144.00
One-half way to three and one-half avenue south.....44.50
Three and one-half avenue south.....144.00
Fourth avenue south.....143.00
Fifth avenue south.....142.00

Sixth avenue south.....144.00
Three hundred feet east of Sixth avenue south.....145.00
Park avenue.....137.50
Eighth avenue south.....134.50
Ninth avenue south.....135.00
Tenth avenue south.....133.00
Eleventh avenue south.....131.00
N. and S. ¼ line of sec. 26, 29, 24.....130.50

Sixteenth street—at its intersection with
Hennepin avenue.....131.00
Ontario avenue, extended.....135.50
Laurel avenue.....142.00
Hawthore avenue.....145.00
Linden avenue.....139.00
Chestnut avenue.....130.00
Nicollet avenue.....140.00
First avenue south.....144.50
Stevens avenue.....146.00
Second avenue south.....147 50
Third avenue south.....145.00
One-half way to Three and One-half avenue south.....145.50
Three and One-half avenue south.....145.00
Fourth avenue south.....144.00
Fifth avenue south.....141.00
Sixth avenue south.....140.00
Park avenue.....138.50

Seventeenth street—at its intersection with
Laurel avenue..... 144.00
Hawthorne avenue.....143.00
Linden avenue.....135.00
Chestnut avenue.....128.00
Nicollet avenue.....142.50
First avenue south.....146.00
Stevens avenue.....147.00
Second avenue south.....146.00
One-half way to Third avenue south.....146.50
Thirh avenue south.....146.00
One-half way to Three and One-half avenue south.....146.50
Three and One-half avenue south.....146.00
Fourth avenue south.....145.00
Fifth avenue south.....144.00
Sixth avenue south.....144.50
Park avenue.....140.50
Eighth avenue south.....138.00
Ninth avenue south.....137.00
Tenth avenue south.....136.00
Eleventh avenue south.....135.00

Eighteenth street—at its intersection with

Nicollet avenue.....151.50
First avenue south.....150.50
Stevens avenue.....148.00
One-half way to Second avenue south.....148.25
Second avenue south.....147.50
One-half way to Third avenue south.....147.75
Third avenue south.....147.00
One-half way to third and One-half avenue south.....147.50
Third and One-half avenue south.....147.00
Fourth avenue south.....146.00
One-half way to Fifth avenue south.....146.50
Fifth avenue south.....146.00
Sixth avenue south.....145.50
Park avenue.....142.50
Eighth avenue south.....141.50
Ninth avenue south.....138.00
One-half way to Tenth avenue south.....138.50
Tenth avenue south.....138.00
Eleventh avenue south.....137.00
Thirteenth avenue south.....135.00
Fourteenth avenue south.....134.00
Fifteenth avenue south.....138.00
(Not a plane between last two points.)
Sixteenth avenue south.....133.00

Nineteenth street—at its intersection with
Nicollet avenue.....155.5
First avenue south.....152.50
Stevens avenue.....150.00
Second avenue south.....154.00
Third avenue south.....149.00
One-half way to Three and One-half avenue south.....149.50
Three and One-half avenue south.....149.00
Fourth avenue south.....150.00
Fifth avenue south.....148.00
Sixth avenue south.....150.00
Park avenue.....144.00
Eighth avenue south.....143.00
Ninth avenue south.....139.00
Tenth avenue south.....140.00
Eleventh avenue south.....138.00
Thirteenth avenue south.....136.00
Fourteenth avenue south.....135.00
Fifteenth avenue south.....135.50
(Not a plane between last two points) Sixteenth ave south.....134.50

First avenue north—at its intersection with
River street.....111.00
First street.....128.00
105 feet southwesterly of First street.....128.50

Second street.....127.50
Washington avenue.....31.50
Third street.....132.50
Fourth street.....141.00
Fifth street.....138.00
Sixth street.....139.00
Seventh street.....140.00
Eighth street.....138.00
Ninth street.....137.00
Tenth street.....138.00
Eleventh street.....137.00
Twelfth street.....136.50
Fifteenth street extended.....124.00
Sixteenth street extended.....111.00
Seventeenth street extended.....109.00
Lyndale avenue.....107.00

Second avenue north—at its intersection with
River street.....115.50
First street.....127.00
105 feet southwesterly of First street.....127.25
Second street.....126.50
Washington avenue.....130.00
Third street.....133.50
Fourth street.....140.00
Fifth street.....128.00
Sixth street.....123.00
Seventh street.....131.50
Running east from Ninth street with Ninth street.....132.50
Running west of Ninth street with Ninth street.....129.00
Tenth street.....130.50
Eleventh street.....128.00

Third avenue north—at its intersection with
River street.....116.00
First street.....128.00
Second street.....125.00
Washington avenue.....127.00
Third street.....131.00
Fourth street.....130.73
Fifth street.....126.00
Sixth street.....118.00
Ninth street.....121.00

Fourth avenue north—at its intersection with
River street.....120.50
First street.....131.00
Second street.....123.00
Washington avenue.....121.00
Third street.....122.00
Fourth street.....123.00

Fifth street.....121.00
Sixth street 116.00

Fifth avenue north—at its intersection with
River street.....122.50
First street.....129.00
Second street.....126.00
Washington avenue.....118.00
Third street.....115.00
Fourth street.....119.00
Fifth street.....105.00
Sixth street.....107.50

Sixth avenue north,—at its intersection with
(Said Sixth avenue north, running southwesterly and northeasterly)
River street.....124.00
First street.....127.00
Second street.....124.00
Washington avenue.....116.50
Third street 113.00
Fourth street.....121.00
Fifth street.....103.60
Sixth street.....106.00

(Sixth avenue north, running east and west) with
Fifth street.....104.00
Sixth street in B. & B. addition.....106.00
Hoag avenue.....118.50
One-half way to Roylston avenue 125.00
Royalston avenue.....121.50
Oak Lake avenue.....114.00
One-half way to Lyndale avenue.....120.00
Lyndale avenue 110.00

Seventh avenue north of Lewis street—at its intersection with
First street.....117.00
Second street.....115.00
Washington avenue 112.00

Seventh avenue north—or Cross street with
Washington avenue 113.50
Third street.....111.00
Fourth street.....123.00

Seventh avenue north—in Bassett & Bradford's addition
Fifth street.....101.60
Sixth street 103.00
Hoag street.....114.00
One hundred feet east of Royalston avenue.....124.00
Royalston avenue.....120.50
Oak Lake avenue.....111.00
Lyndale avenue 104.00

Eighth avenue north—at its intersection with

First street.....115.00
Second street.....108.50
Washington avenue.....106.00
Third street.....110.00
Fifth street.....100.30
(Not a plane between last two points.)
Hoag avenue.....105.00
Royalston avenue.....113.00
Oak Lake avenue.....109.00
Two hundred feet west of Oak Lake avenue.....112.00
Lyndale avenue.....102.00

Ninth avenue north—at its intersection with
First street.....114.00
Second street.....112.00
Half way to Washington avenue.....112.50
Washington avenue.....112.00
Third street.....111.00
Fourth street.....108.00
Fifth streeet.....105.00

Tenth avenue north—at its intersection with
First street.....114.00
Second street.....113.00
Washington avenue.....115.00
Third street.....113.50
Fourth street.....112.00
Fifth street.....110.00
Bridge over Bassett's creek.....105.00
Oak Lake avenue.....108.00

Eleventh avenue north—at its intersection with
Fourth street.....113.00
East from Fifth street.....114.00

Eleventh avenue north—Or reservation line with
Fifth street.....118.00
West line of Sixth street.....121.00
Lyndale avenue.....120.00

Twelfth avenue north—at its intersection with
Washington avenue.....116.00
Third street.....115.00
Fourth street.....114.00
Fifth street.....119.00
Sixth street.....121.00
Lyndale avenue.....122.50

Thirteenth avenue north—at its intersection with
West end upper bridge.....Grade.
First street.....114.00
Second street.....115.00
Washington avenue.....117.00
Third street.....116.00

Fourth street.....115.00
Eifth street.....116.00
Sixth street.....122.00
Lyndale avenue.....126.00

First avenue south—at its intersection with

High street.....128.00
Half way to First street.....128.50
First street.....128.00
Second street.....126.00
Washington avenue.....130.00
Third stre t.....128.00
Fourth street.....135.00
Fifth street.....138.00
Sixth street.....142.50
Seventh street.....140.00
Half way to Eighth street.....140.50
Eighth street.....140.00
Ninth street.....137.50
Three-fourths way to Tenth street.....138.25
Tenth street.....138.00
Eleventh street.....138.50
Twelfth street.....142.00
Thirteenth street.....140.00
Grant street and First avenue south, north of Grant street....146.00
Fourteenth street.....139 00
Fifteenth street.....143.00
Sixteenth street.....144.50
Seventeenth street.....146.00
Eighteenth street extended.....150.50
Nineteenth street extended.....152.50
Franklin avenue.....174.00

Second avenue south—At its intersection with

High street.....134.00
First stre t.....129.50
Second street.....123.50
Washington avenue.....125.00
Third street.....127.00
Fourth street.....133.00
Fifth street.....135.50
Sixth street.....136.50
Seventh street.....137.50
Eighth street.....140.00
Ninth street.....136.50
Tenth street.....137.50
Eleventh street.....138.75
Twelfth street.....143.00
Thirteenth street.....143.75
Grant street and Second avenue south north of Grant street..144.20

Grant street and Second avenue south south of Grant street..144.50
Fourteenth street....142.00
Fifteenth street....143.00
Sixteenth street....147.50
Seventeenth street....146.00
Eighteenth street extended....147.50
Nineteenth street extended....154.00
Franklin avenue....153.50

Third avenue south—at its intersection with

First street....130.75
Second street....121.00
Washington avenue....119.50
Third street....123.00
Fourth street....126.50
Fifth street....135.00
Sixth street....135.50
Seventh street....139.00
Eighth street....140.00
Ninth street....135.50
Tenth street....138.00
Eleventh street....139.00
Twelfth street....144.00
Grant street....145.00
Fourteenth street....143.00
Fifteenth street....144.00
Sixteenth street....145.00
Seventeenth street....146.00
Eighteenth street....147.00
Nineteenth street....149.00
Franklin avenue....152.00

Three and one-half avenue south—at its intersection with

Grant street....146.00
Fourteenth street....145.00
Fifteenth street....144.00
Sixteenth street....145.00
Seventeenth street....146.00
Eighteenth street....147.00
Nineteenth street....149.00
Franklin avenue....155.00

Fourth avenue south at its intersection with

First street....120.00
Second street....117.00
Washington avenue....116.50
Third street....122.00
Fourth street....123.00
Fifth street....133.00
Sixth street....134.00
Seventh street....140.50

One-quarter way to Eighth street.....140.75
Eighth street.....140.00
Ninth street.....134.50
Tenth street.....137.50
Eleventh street.....138.50
Grant street and Fourth avenue south north of Grant street...146.00
Grant street and Fourth avenue south south of Grant street...145.50
Fourteenth street.....144.50
Fifteenth street.....143.00
Sixteenth street.....144.00
Seventeenth street.....145.00
Eighteenth street.....146.00
Nineteenth street.....150.00
Franklin avenue.....153.50

Fifth avenue south—at its intersection with

First street.....106.00
Second street.....116.00
Washington avenue.....115.50
Third street.....119.25
Fourth street.....122.00
Fifth street.....128.00
Sixth street.....133.50
Seventh street.....138.75
One-quarter way to Eighth street.....139.00
Eighth street.....138.00
Ninth street.....133.00
Tenth street.....137.00
Eleventh street.....137.50
Grant street and Fifth avenue south south of Grant street....139.00
Fourteenth street.....143.00
Fifteenth street.....142.00
Sixteenth street.....141.00
Seventeenth street.....144.00
Eighteenth street.....146.00
Nineteenth street.....148.00
Franklin avenue.....153.00

Sixth avenue south—at its intersection with

First street.....90.50
Second street.....111.60
Washington avenue.....115.50
Third street.....118.00
Fourth street.....122.00
Fifth street.....126.50
Sixth street.....133.00
Seventh street.....137.00
Eighth street.....135.00
Ninth street.....131.00
Tenth street.....138.00

Eleventh street, extended.....139.00
Fourteenth street.....143.00
Fifteenth street.....144.00
Sixteenth street.....140.00
Seventeenth street.....144.50
Eighteenth street.....145.50
Nineteenth street.....150.00
One-half way to Franklin avenue.....154.00
Franklin avenue.....154.50

Seventh avenue south—at its intersection with
Second street.....111.00
Washington avenue.....115.50
Third street.....119.00
Fourth street.....123.00
Fifth street.....132.50
Sixth street.....131.00
Seventh street.....133.00
Eighth street.....134.00
Ninth street.....129.00
Tenth street.....137.00

Eighth avenue south—at its intersection with
Second street.....113.00
Washington avenue.....117.00
Third street.....118.00
Fourth street.....131.00
Fifth street.....137.00
Sixth street.....130.00
Seventh street.....131.00
Eighth street.....129.00
Ninth street.....128.00
Tenth street.....133.00
Fourteenth street.....129.50
Fifteenth street.....134.00
Sixteenth street.....
Seventeenth street.....138.00
Eighteenth street.....141.50
Nineteenth street.....143.00
One-half way to Franklin avenue.....143.50
Franklin avenue.....143.00

Ninth avenue south—at its intersection with
Second street.....116.00
Washington avenue.....119.00
Third street.....118.50
Fourth street.....129.00
Fifth street.....135.00
Sixth street.....128.00
Seventh street.....130.00
Eighth street.....125.00

Ninth street, if extended.....126.00
Fourteenth street.....131.00
Fifteenth street.....135.00
Seventeenth street.....137.00
Eighteenth street.....138.00
Nineteenth street.....139.00
Franklin avenue.....141.00

Tenth avenue south—at its intersection with
Second street.....115.00
Washington avenue.....121.00
Third street.....119.50
Fourth street.....123.50
Fifth street.....127.50
Sixth street.....125.75
Seventh street.....123.00
Eighth street.....126.00
Fourteenth street.....129.00
Fifteenth street.....133.00
Seventeenth street.....138.00
Eighteenth street.....138.00
Ninteenth street.....140.00
Franklin avenue.....142.00

Eleventh avenue south—at tis intersection with
Second street.....118.50
Washington avenue.....120.00
Third street.....117.50
Fourth street.....119.00
Fifth street.....122.00
Sixth street.....124.00
Seventh street.....129.00
Eighth street.....133.00
Fourteenth street.....130.00
Fifteenth street.....131.00
Seventeenth street.....135.00
Eighteenth street.....137.00
Ninteenth street.....138.00
Franklin avenue.....140.00

Twelfth avenue south—at its intersection with
First street.....104.00
Second street.....122.50
Washington avenue.....122.00
Third street.....118.50
Fourth street.....119.50
Fifth street.....120.50
Sixth street.....125.00
Seventh street.....132.00
Eighth street.....135.00

Thirteenth avenue south—at its intersection with

First street.....112.00
Second street.....126.00
Washington avenue.....128.00
Third street.....123.00
Fourth street.....120.00
One-half way to Fifth street.....120.50
Fifth street.....120.00
Sixth street.....121.00
Seventh street.....130.50
Eighth street.....128.50
Ninth street.....129.50
Tenth street.....132.00
Eighteenth street.....135.00
Ninteenth street.....136.00
Franklin ave. and Thirteenth ave. south, N of Franklin ave...138.00
Franklin avenue and Thirteenth ave. south S., of Franklin..137.00

Fourteenth avenue south—at its intersection with

First street.....120.00
Second street.....130.00
Washington avenue.....129.00
Third street.....118.50
Fourth street.....121.00
Fifth street.....119.00
Sixth street.....121.50
Seventh street.....126.50
Eighth street.....127.50
Ninth street.....128.50
The angle.....130.00
Eighteenth street.....134.00
Nineteenth street.....135.00
Franklin avenue and Fourteenth avenue south, north of Franklin avenue.....136.00
Franklin avenue and Fourteenth avenue south, south of Franklin avenue.....135.00

Fifteenth avenue south—at its intersection with

Washington avenue.....128.00
Third street.....117.50
Fourth street.....122.50
Fifth street.....118.50
Sixth street.....120.50
Seventh street.....125.00
Eighth street.....131.00
Ninth street, if extended.....133.50
Eighteenth street.....138.00
Nineteenth street.....135.50
Franklin and Fifteenth avenue south, north of Franklin.....134.50
Franklin and Fifteenth avenue south, south of Franklin.....134.27

xteenth avenue south—at its intersection with

Third street.....116.50
Fourth street.....117.00
Fifth street.....118.00
Sixth street.....123.00
Seventh street.....126.50
Eighth street.....129.00
Eighteenth street.....133.00
Nineteenth street.....134.50
Franklin avenue and Sixteenth avenue south, south of Franklin avenue.....132.64
Franklin avenue and Sixteenth avenue south, north of Franklin avenue.....133.00

Seventeenth avenue south—at its intersection with
Fifth street.....124.00
Sixth street.....125.00
Seventh street.....128.50
Eighth street, if extended.....130.00
Franklin avenue and Seventeenth avenue south, south of Franklin avenue.....131.76
(Not a plane between last two points.)

Eighteenth avenue south—at its intersection with
Seventh street.....130.50
Franklin avenue and Eighteenth avenue south.....130.83

Nineteenth avenue south—at its intersection with
Bluff street.....99.00
First street.....113.00
Second street.....126.00
Washington avenue.....127.50
Two and one-half street.....118.00
Third street.....115.50
Fourth street.....114.50
Fifth street.....122.00
Sixth street.....124.00
Seventh street.....125.00
Eighth street.....125.50
Ninth street.....126.00
Franklin avenue.....128.00

Twentieth avenue south—at its intersection with
Bluff street.....77.50
First street.....101.00
Second street.....108.00
Washington avenue.....113.50
Two and one-half street.....114.50
Third street.....115.50
Fourth street.....113.50
Fifth street.....118.00
Sixth street.....132.00
Seventh street.....134.00

Eighth street.....128.00
Ninth street.....126.00
Franklin avenue.....127.00

Twenty-first avenue south—at its intersection with
The angle north of Second street..... 84.50
Second street..... 78.00
Washington avenue..... 94.50
Two and one-half street.....107.00
Third street.....113.50
Fourth street.....112.50
Fifth street.....117.00
Sixth street.....133.50
Seventh street.....138.00
Eighth street.....132.00
Ninth street.....128.50
Franklin avenue.....129.50

Twenty-second avenue south—at its intersection with
Washington avenue..... 44.00
Two and one-half street..... 40.00
Third street..... 72.00
Fourth street.....111.00
Fifth street.....120.00
Sixth street.....136.50
Seventh street.....131.00
Eighth street.....135.00
Ninth street.....130.00
Franklin avenue.....132.00

Twenty-third avenue south—at its intersection with
Sixth street.....139.00
Seventh street.....129.50
Eighth street.....130.00
Ninth street.....129.00
Franklin avenue.....131.00

Twenty-fourth avenue south—at its intersection with
Sixth street.....131.50
Seventh street.....128.00
Eighth street.....127.00
Ninth street.....128 00
Franklin avenue.....130.00

Twenty-fifth avenue south at its intersection with
Sixth street.....129.00
Seventh street.....130.00
Eighth street.....126.00
Ninth street.....129.00
Franklin avenue.....131.00

Twenty-sixth avenue south—at its intersection with
Sixth street.....124.00
Seventh street.....126.00

Eighth street.....125.00
Ninth street.....127.00
Franklin avenue.....130.00
Twenty-seventh avenue south—at its intersection with
Sixth street.....105.50
Seventh street.....116.00
Eighth street.....124.00
Ninth street.....126.50
Franklin avenue.....127.50
Twenty-eighth avenue south—at its intersection with
Sixth street..... 90.00
Seventh street..... 98.00
Eighth street.....118.00
Ninth street.....128.50
Franklin avenue.....126.25
Twenty-ninth avenue south—at its intersection with
Seventh street..... 80.00
Eighth street.....105.00
Ninth street.....116.00
Franklin avenue.....125.00

All of the foregoing described points situated on the west side of the Mississippi river, in said city. All the following described points being situated on the east side of said river in said city.

"A" street—at its intersection with
Main street.....128.00
Pleasant street.....134.00
State street.....133.00
Church street.....132.00
Union street.....128.00
Harvard street.....123.00
Walnut street..... 128.00
Adams street—At its intersection with
Winter street..... .130.00
Half way between Winter and Spring streets.....130.75
Spring street 130.00
Summer street 131.70
Broadway.....133.30
B street—At its intersection with
Main street.....126.00
Pleasant street.....133.00
State street 132.00
Church street.....136.00
Union street 131.00
Harvard street.....124.00
Walnut street.....122.00
Brook avenue—At its intersection with
West line of southeast ¼ northeast ¼ section 24.....130.00
Holmes street 132.00

Tuttle street.....165.00
Broadway—At its intersection with
Washington street.....131.00
Adams street.....133.00
Jefferson street.....132.70
Madison street.....133.50
Monroe street.....134.05
Quincy street.....133.00
Jackson street.....132.05
Van Buren street.....131.00
Harrison street.....130.00
Tyler street.....131.00
Polk street.....140.00
One-half way to Taylor street.....140.00
Taylor street.....140 00
Pierce street.....135.00
Buchanan street.....139.00
Lincoln street.....140.00
Johnson street.....142.00
Buchanan street—At its intersection with
Division street.....127.80
Winter street.....129.40
Spring street.....131.00
Summer street.....133.00
Broadway street.....139.00
Central avenue, E. D—At its intersection with
East end stone arch bridge.....113.15
Main street, and north gutter line of Main street.....114.30
Second street.....123.00
Third street.....128.00
Fourth street.....127.00
Fifth street.....126.00
Sixth street.....123.00
Seventh street and Central avenue, east of Central avenue...124.30
Eighth street.....125.00
Ninth street.....126.00
Tenth street.....127.00
C street—At its intersection with
Main street.....110.00
Pleasant street.....117.00
State street.....127.00
Church street.....131.00
Union street.....128.00
Harvard street.....125.00
Walnut street.....120.00
Como avenue—At its intersection with west line southeast ¼ northeast ¼ section 24.....133.00
Holmes street.....134.00

Tuttle street.....139.00
East line southeast ¼ northeast ¼ section 24.....141.00
Church street– At its intersection with
A street.....132.00
B street.....136.00
C street.....131.00
D street.....129.00
E street.....100.00
F street..... 85.00
Division street—At its intersection with
Harrison street.....127.09
Tyler street.....125.00
Polk street.....125.50
Taylor street.....126.25
Fillmore street.....127.00
Pierce street.....127.80
Buchanan street.....127.80
Lincoln street.....176.90
Johnson street.....126.00
"D" street—At its intersection with
Main street..... 85.00
Pleasant street.....100.00
State street..... 110.00
Church street.....129.00
Union street.....131.00
Harvard street.....129.00
Walnut street.....124.00
E street—At its intersection with
Main street..... 60.00
Pleasant street..... 75.00
State street..... 90.00
Church street.....100.00
Union street.....128.00
Harvard street.....127.00
Walnut street.....128.00
F street—At its intersection with
Pleasant street..... 20.00
State street..... 25.00
Church street..... 35.00
Union street..... 70.00
Harvard street.....128.00
Walnut street.....134.00
Fillmore street—At its intersection with
Division street.....127.00
Winter street.....128.60
Spring street.....132.00
Summer street.....140.00
Holmes street—At its intersection with

Rollins avenue.....128.00
Brook avenue.....132.00
Como avenue.....134.00

Harrison street—At its intersection with
Division street.....127.00
One-half way between Division and Winter streets.....127.75
Winter street.....127.00
Spring street.....128.00
Summer street.....129.00

Broadway street—At its intersection with
A street.....123.00
B street.....125 00
C street.....125.00
D street.....129.00
E street.....129.00
F street.....128.00

Jefferson street—At its intersection with
Winter street.....127.70
Spring street.....129.40
Summer street.....131.00
Broadway.....132.70

Jackson street—At its intersection with
Third avenue northeast.....127.00
Spring street.....127.40
Summer street.....131.50
Broadway.....132.00

Johnson street—At its intersection with
Division street.....126.00
Winter street.....128.50
Spring street.....136.00
Summer street.....139.00
Broadway.....132.00

Johnson street—At its intersection with
Division street.....126.90
Winter street.....128.50
Spring street.....131.00
Summer street.....138 00
Broadway.....150.00

Monroe street—At its intersection with
Third avenue northeast.....126.00
Spring street.....127.80
Summer street.....131.50
Broadway.....134.00

Madison street—At its intersection with
Third avenue northeast.....127.00
Winter street.....127.00
Half way between last two points.....127.50
Spring street.....128.60

Summer street..... ..130.50
Broadway..... .....133.50

Main street—At its intersection with
Central avenue on north gutter line of Main street.....114.30
First avenue northeast..... .....112.50
Second avenue northeast.....116.00
Third avenue northeast.....113.00
Fourth avenue northeast.....117.00
Fifth avenue northeast.....123.50
Sixth avenue northeast..... .....126.00
Seventh avenue northeast.....127.00
Eighth avenue northeast.....122.50
Ninth avenue northeast. 121.00
Tenth avenue northeast..... .....116.50
Eleventh avenue northeast 115.00
Broadway.....115.00
First avenue southeast.....105.00
Second avenue southeast..... .....103.00
Third avenue southeast.....101.00
Fourth avenue southeast..... .....100.00
Fifth avenue southeast..... ..... 99.00
Sixth avenue southeast..... 96.00
Seventh avenue southeast..... 92.00
Eighth avenue southeast... ..... 89.00
Ninth avenue southeast..... 90.00
Tenth avenue southeast..... 89.00
Eleventh avenue southeast 90.00
(Not a plane between Eleventh avenue southeast and A street)
A street.....128.00
B street..... .....126.00
C street.....110.00
D street... ..... 84.00
E street..... 60.00

Marshall street—At its intersection with
Fifth avenue northeast.....116.00
Sixth avenue northeast.....117.00
Seventh avenue northeast.....116.00
Eighth avenue northeast.....113.00
Ninth avenue northeast..... .....110.00
Tenth avenue northeast..... .....107.00
Eleventh avenue northeast..... .....106.00
Twelfth avenue northeast.....105.00

Pierce street—At its intersection with
Division street.....127.80
Winter street..... .....129.40
Spring street..... .....134.00
Summer street.....142.00
Broadway street.....135.00

Polk street—At its intersection with
- Division street.....125.50
- Winter street.....126.25
- Spring street.....129.00
- Summer street.....134.00
- Broadway street.....140.00

Pleasant street—At its intersection with
- A street.....134.00
- B street.....133.00
- C street.....117.00
- D street.....100.00
- E street..... 75.00
- F street..... 20.00

Quincy street—At its intersection with
- Spring street.....128.60
- Summer street.....132.50
- Broadway street.....133.00

Ramsey street—At its intersection with
- Sixth avenue northeast.....100.00
- Seventh avenue northeast.....101.00
- One-half way between seventh and eighth avenues northeast..101.50
- Eighth avenue northeast.....101.00
- One-half way between Eighth and Ninth avenues northeast..101.50
- Ninth avenue northeast.....101.00
- Tenth avenue northeast.....102.00

Rollins avenue—At its intersection with
- West line southeast and northeast to section 24.....128.00
- Holmes street.....128.00
- Tuttle street.....130.00

Summer street—At its intersection with
- Washington street.....132.40
- Adams street.....131.70
- Jefferson street.....131.00
- Madison street.....130.20
- Monroe street.....131.50
- Quincy street.....132.50
- Jackson street.....131.50
- Van Buren street.....130.20
- Harrison street.....129.00
- Tyler street.....129.80
- Polk street.....134.00
- Taylor street.....144.00
- Fillmore street,.....140.00
- Pierce street.....142.00
- Buchanan street.....133.00
- Lincoln street.....138.60
- Johnson street.....139.00

Sibley street—At its intersection with

Seventh avenue northeast..... 98.00
Eighth avenue northeast..... 99.00
One-half way between Eighth and Ninth avenues northeast.. 99.50
Ninth avenue northeast..... 99.00
One-half way between Ninth and Tenth avenues northeast.. 99.50
Tenth avenue northeast..... 99.00

Spring street—At its intersection with
Washington street..... 130.75
Adams street..... 130.00
Jefferson street..... 129.40
Madison street..... 128.60
Monroe street..... 127.80
Quincy street..... 128.60
Jackson street..... 129.40
Van Buren street..... 128.80
Harrison street..... 128.00
Tyler street..... 127.20
Polk street..... 129.00
Taylor street..... 128.00
Fillmore street..... 132.00
Pierce street..... 134.00
Buchanan street..... 131.00
Lincoln street..... 131.00
Johnson street..... 136.00

State street—At its intersection with
A street..... 133.00
B street..... 132.00
C street..... 127.00
D street..... 110.00
E street..... 90.00
F street..... 25.00

Tuttle street—At its intersection with
Rollins avenue..... 130.00
Brook street..... 135.00
Como street..... 139.00

Tyler street—At its intersection with
Division street..... 125.00
Winter street..... 126.25
Spring street..... 127.20
Summer street..... 129.80
Broadway..... 131.50

Taylor street—At its intersection with
Division street..... 126.25
Winter street..... 127.00
Spring street..... 128.00
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Broadway..... 140.00

Union street—At its intersection with

The north line of section 25 ..... 130.00
A street 128.00
B street 131.00
C street 128.00
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F street 70.00

Van Buren street—At its intersection with
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Summer street 130.20
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Summer street 132.40
Broadway 131.00

Walnut street—At its intersection with
A street 128.00
B street 122.00
C street 120.00
D street 124.00
E street 128.00
F street 134.00

Winter street—At its intersection with
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Jefferson street 127.70
Madison street 127.00
Harrison street 127.00
Tyler street 126.25
Polk street 126.25
Taylor street 127.00
Fillmore street 128.60
Pierce street 129.40
Buchanan street 129.40
Lincoln street 128.50
Johnson street 129.50

Second street—At its intersection with
Central avenue 123.00
First avenue northeast 128.50
Second avenue northeast 119.00
Third avenue northeast 124.00
Fourth avenue northeast 125.00
Fifth avenue northeast 128.00
Sixth avenue northeast 129.00
Seventh avenue northeast 128.00
Eighth avenue northeast 126.00
Ninth avenue northeast 125.00
Tenth avenue northeast 128.00
First avenue southeast 134.00

Second avenue southeast.....123.00
Third avenue southeast.....127.00
Fourth avenue southeast.....134.00
Fifth avenue southeast.....117.00
Sixth avenue southeast.....102.00
Seventh avenue southeast.....100.00
Eighth avenue southeast..... 99.00
Ninth avenue southeast..... 98.00
Tenth avenue southeast..... 97.00
Eleventh avenue southeast.....105.00

Third street—At its intersection with

Central avenue.....128.00
First avenue northeast.....125.50
Second avenue northeast.....122.75
Third avenue northeast.....126.00
Fourth avenue northeast.....128.00
Fifth avenue northeast.....130.00
Sixth avenue northeast.....131.00
Seventh avenue northeast.....120.00
Eighth avenue northeast.....127.00
Ninth avenue northeast.....126.00
Tenth avenue northeast.....127.00
First avenue southeast.....137.50
Second avenue southeast.....143.00
Third avenue southeast.....139.00
Fourth avenue southeast.....131.50
Fifth avenue southeast.....125.00
Sixth avenue southeast.....121.00
Seventh avenue southeast.....120.00
Eighth avenue southeast.....119.00
Ninth avenue southeast.....118.00
Tenth avenue southeast.....117.00
One-half way to Eleventh avenue southeast.....117.50
Eleventh avenue southeast.....117.00
One-half way to Twelfth avenue southeast.....117.50
Twelfth avenue southeast.....117.00
Thirteenth avenue southeast.....116.00
Fourteenth avenue southeast.....118.00
Fifteenth avenue southeast.....124.00
Sixteenth avenue southeast.....127.00
Seventeenth avenue southeast.....125.00
Eighteenth avenue southeast.....124.00
Nineteenth avenue southeast.....125.00

Fourth street—At its intersection with

Central avenue northeast.....127.00
First avenue northeast.....126.00
Second avenue northeast.....224.30
Third avenue northeast.....128.00

Fourth avenue northeast 131.00
One-half way to Fifth avenue northeast.....131.75
Fifth avenue northeast.....131.00
Sixth avenue northeast 132.00
Seventh avenue northeast.....131.00
Eighth avenue northeast.....129.00
Ninth avenue northeast..... 128.00
First avenue southeast..... .....131.00
Second avenue southeast 135.00
Third avenue southeast..... .....131.00
Fourth avenue southeast.....127.00
Fifth avenue southeast.....123.00
Sixth avenue southeast..... 122.00
Seventh avenue southeast.....120.00
Eighth avenue southeast 117.50
Ninth avenue southeast.....117.00
Tenth avenue southeast 118.00
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Twelfth avenue southeast 120.00
Thirteenth avenue southeast.....121.00
Fourteenth avenue southeast.....118.00
Fifteenth avenu southeast 116.00
Sixteenth avenue southeast.... ... .118.00
Seventeenth avenue southeast..... .....120.00
Eighteenth avenue southeast..... ....123.00
Nineteenth avenue southeast.....124.00

Fifth street—At its intersection with
Central avenue.....126..0
Half way to First avenue northeast.....126.50
First avenue northeast.....126.00
Second avenue northeast 125.50
Third avenue northeast.....128.00
Fourth avenue northeast.... .....130.00
Half way to Fifth avenue northeast..... .....130.75
Fifth avenue northeast.....130.00
Sixth avenue northeast..... ...131.00
Seventh avenue northeast 130.00
Eighth avenue northeast 129.50
Ninth avenue northeast..... .....129.00
First avenue southeast 126.00
Second avenue southeast.....127.00
Third avenue southeast.....125.00
Fourth avenue southeast.....123.00
Fifth avenue southeast 122.00
Sixth avenue southeast.....121.00
Seventh avenue southeast..... ... .120.00
Eighth avenue southeast.... .....118. 0
Ninth avenue southeast..... .120.00

Tenth avenue southeast 123.00
Eleventh avenue southeast.....123.00
Twelfth avenue southeast.....124.00
Thirteenth avenue southeast.....122.00
Fourteenth avenue southeast.....120.00
Fifteenth avenue southeast 119.00
Sixteenth avenue southeast.....117.00
Seventeenth avenue southeast.....118.00
Eighteenth avenue southeast.....119.00
Nineteenth avenue southeast.....120.00

Sixth street—At its intersection with

Central avenue.....123.00
First avenue northeast.....125.00
Second avenue northeast.....126.00
Third avenue northeast.....127.00
Second avenue southeast.....122.00
Third avenue southeast.....121.00
Fourth avenue southeast.....122.00
Fifth avenue south east.....121.00
Sixth avenue south east.....120.00
Seventh avenue south east.....119.00
Eighth avenue south east.....120.00
Ninth avenue south east.....121.00
Tenth avenue south east.....125.00
Half way to Eleventh avenue south east.....125.50
Eleventh avenue south east.....125.00
Twelfth avenue south east.....123.00
Thirteenth avenue south east.....122.00
Fourteenth avenue south east.....121.00
Fifteenth avenue south east.....120.00
Sixteenth avenue south east.....118.00

Seventh street north east—At its intersection with

Central avenue.....124.30
Second avenue north east.....125.50
Third avenue north east.....126.00

Seventh street southeast—At its intersection with

Central avenue.....124.00
Second avenue south east.....122.00
Third avenue south east.....121.00
Fourth avenue south east.....119.00
Fifth avenue south east.....118.00
Half way to Sixth avenue south east.....118.50
Sixth avenue south east.....118.00
Seventh avenue south east.....120.00
Eighth avenue south east.....121.00
Ninth avenue south east.....122.00
Tenth avenue south east.....123.00
Eleventh avenue south east.....124.00

Half way to Twelfth avenue south east.....124.50
Twelfth avenue south east.....124.00
Thirteenth avenue south east.....125.00
Fourteenth avenue south east.....122.00
Fifteenth avenue south east.....122.00
Sixteenth avenue south east.....121.00

Eighth street—At its intersection with
Central avenue.....125.00
Second avenue south east.....124.00
Third avenue south east.....123.00
Fourth avenue south east extended.....124.00
Fifth avenue south east.....125.00
Sixth avenue south east.....126.00
Seventh avenue south east.....127.00
Eighth avenue south east.....128.00
Ninth avenue south east.....127.00
Tenth avenue south east.....126.00
Eleventh avenue sou h east.....125.00
Half way to Twelfth avenue south east.....125.50
Twelfth avenue south east.....125.00
Thirteenth avenue south east.....126.00
Fourteenth avenue south east.....125.00
Fifteenth avenue south east.....124.00
Sixteenth avenue south east.....125.00

Ninth street—At its intersection with
Central avenue.....126.00

Second avenue south east.....125.00
Third avenue south east.....127.00
Fifth avenue south east.....126.00
(Not a plane between last two points) Sixth avenue south east..131.00
Seventh avenue south east.....132.00
Eighth avenue south east.....133.00
Ninth avenue south east.....130.00
Tenth avenue south east.....129.00

First avenue north east—At its intersection with
Main street.....112.50
Second street.....123.50
Third street.....125.50
Fourth street.....126 00
One half way to Fifth street.....126.50
Fifth street.....126.00
Sixth street.....125.00

Second avenue north east—At its intersection with
Main street.....116.00
Second street.....119.00
Third street.....122.75
Fourth street.....124.30
Fifth street.....125.50

Sixth street.....126.00
Seventh street.....125.00
Eighth street.....126.00
Third avenue northeast—At its intersection with
Main street.....113 00
Second street.....124.00
Third street.....126.00
Fourth street.....128.00
One-half way to Fifth street.....128.50
Fifth street.....128.00
Sixth street.....127.00
Seventh street.....126.00
Tenth street.....127.00
Fourth avenue northeast—At its intersection with
Main street.....117.00
Second street.....125.00
Third street.....128.00
Fourth street.....121.00
Fifth street.....130.00
Fifth avenue northeast—At its intersection with
Ramsey street.....100.50
Marshall street.....116.00
Main street.....123.50
Second street.....128.00
Third street.....30.00
Fourth street.....131.00
Fifth street.....130.00
Sixth avenue northeast—At its intersection with
Ramsey street.....100.00
Marshall street.....117.00
Main street.....126.00
Second street.....129.00
Third street.....131.00
Fourth street.....132.00
Fifth street.....13 .00
Seventh avenue northeast—At its intersection with
Sibley street.....98.00
Ramsey street.....101.00
Marshall street.....116 00
Main street.....127.00
Second street.....128.00
Third street.....130.00
Fourth street.....131.00
Fifth street.....130.00
Eighth avenue northeast—At its intersection with
Sibley street.....99.00
Ramsey street.....101.00
Marshall street.....113.00

Main street 122.50
Second street. 126.00
Third street.....127.00
Fourth street.....129.00
Fifth street.....129.50

Ninth avenue northeast—At its intersection with
Sibley street..... 99.00
Ramsey street.....101.00
Marshall street.....110.00
Main street..... 121.00
Second street.....125.00
Third street.....126.00
Fourth street.....128.00
Fifth street.....129.00

Tenth avenue northeast—At its intersection with
Sibley street..... 99.00
Ramsey street.....102.00
Marshall street.....107.00
Main street.....116.50
Second street.....128.00
Third street.....127.00

Eleventh avenue northeast—At its intersection with
Marshall street.....105.00
Main street.....115.00

Twelfth avenue northeast—At its intersection with
Marshall street.....105.00

First avenue southeast—At its intersection with
Main street.....105.00
Second street.....134.00
Third street 137.50
Fourth street.....131.00
Fifth street.....126.00

Second avenue southeast—At its intersection with
Main street.....103.00
Second street.....128.00
Third s reet.....143.00
Fourth street.....135.00
Fifth street.....127.00
Sixth street.....122.00
One-half way to Seventh street.....122.50
Seventh street.....122.00
Eighth street.....124.00
Ninth street.....125.00
Tenth street.....126.00

Third avenue southeast—At its intersection with
Main street.....101.00
Second street.....127.00
One-half way to seventh street.....121.50

Third street 139.00
Fourth street 131.00
Fifth street 125.00
Sixth street 121 00
Seventh street 121.00
Eighth street 123.00

Fourth avenue southeast—At its intersection with

Main street 100.00
Second street 134.00
Third street 131.50
Fourth street 127.00
Fifth street 123.00
Sixth street 122.00
Seventh street 119.00
Eighth street, if extended 124.00

Fifth avenue southeast—At its intersection with

Main street 99.00
Second street 117.00
Third street 125.00
Fourth street 123.00
Fifth street 122.00
Sixth street 121.00
Seventh street 118.00
Eighth street 125.00
Ninth street, if extended 126.00

Sixth avenue southeast—At its intersection with

Main street 96.00
Second street 102.00
Third street 121.00
Fourth street 122.00
Fifth street 121.00
Sixth street 120.00
Seventh street 118.00
Eighth street 126.00
Ninth street, if extended 131.00
Tenth street, if extended 128.00

Seventh avenue southeast—At its intersection with

Main street 92.00
Second street 100.00
Third street 120 00
One-half way to Fourth street 120.50
Fourth street 120.00
One half way to Fifth street 120.50
Fifth street 120.00
Sixth street 1 9.00
Seventh street 120.00
Eighth street 127.00
Ninth street if extended 132.00

Eighth avenue south east—at its intersection with
- Main street..... 89.00
- Second street..... 99.00
- Third street. 119.00
- Fourth street 117.50
- Fifth street..... .....118.00
- Sixth street.....220.00
- Seventh street..... .....121.00
- Eighth street..... .....128.00
- Ninth street if extended..... .....133.00

Ninth avenue south east—at its intersection with
- Main street..... ..... 90.00
- Second street..... ..... 98.00
- Third street.....118.00
- Fourth street..... .....117.00
- Fifth street.... ....120.00
- Sixth street..... .....121.00
- Seventh street.....122.00
- Eight street..... .....127.00
- Ninth street if extended..... ....130.00

Tenth avenue south east—at its intersection with
- Main street..... 89.00
- Second street..... 97.00
- Third street..... ....117.00
- Fourth street.....118.00
- Fifth street.. ....123.00
- Sixth street.....125.00
- Seventh street.....123.00
- Eighth street.....126.00
- Ninth street if extended.....129.00

Eleventh avenue south east—at its intersection with
- Main street..... ..... 90.00
- Second street.....105.00
- Third street..... .....117.00
- Fourth street..... .....119.00
- Fifth street..... .....123.00
- Sixth street..... ....125.00
- Seventh street..... ...124,00
- Eighth street... .....125.00

Twelfth avenue south east—at its intersection with
- Third street.....117.00
- Fourth street..... .....120.00
- Fifth street.....124.00
- Sixth street..... .....123.00
- Seventh street..... ... .124 00
- Eighth street..... .....125.00

Thirteenth avenue south east—at its intersection with
- Third street..... .....116.00

Fourth street.....121.00
Fifth street.....122.00
One-half way to Sixth street.....122.50
Sixth street.....122.00
Seventh street.....125.00
Eighth street.....126.00

Fourteenth avenue south east—at its intersection with
Third street.....118.00
One half way to fourth street.....118.50
Fourth street.....118.00
Fifth street.....120.00
Sixth street.....121.00
Seventh street.....122.00
Eighth street.....125.00

Fifteenth avenue south east—at its intersection with
Third street.....124.00
Fourth street.....116.00
Fifth street.....119.00
Sixth street.....120.00
Seventh street.....122.00
Eighth street.....124.00

Sixteenth avenue south east—at its intersection with
Third street.....127.00
Fourth street.....118.00
Fifth street.....117.00
Sixth street.....118.00
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Eighth street.....125.00

Seventeenth avenue south east—at its intersection with
The south line of section 24-29-24.....130.00
Third street.....125.00
Fourth street.....120.00
Fifth street.....118.00

Eighteenth avenue south east—at its intersection with
Third street.....124.00
Fourth street.....123.00
Fifth street.....119.00

Nineteenth avenue south east—at its intersection with
Fourth street.....124.00
Fifth street.....120.00

SEC. 3. And it is further ordained that the ground between the aforementioned designated points, except when otherwise especially indicated shall run in unbroken planes. Also that the points herein before designated shall in all cases, except when otherwise indicated, be upon the center lines of the streets, avenues, etc.

SEC. 4. All ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SEC. 5. This ordinance shall take effect and be in force from and after its publication.

Passed the Council June 2d, 1880.

C. L. SNYDER,
President of the Council.

Attest:

SELAH MATHEWS,
City Clerk.

Approved June 7th, 1880.

A. C. RAND,
Mayor.

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